

Meetings of Public Bodies

All information acquired from www.ncga.state.nc.us

North Carolina General Assembly

- All hearings, deliberations and actions be conducted openly
 - Article 33C
 - NC Gen.Stat. § 143-318.9 Public Policy

- Any person is entitled to attend
- Any authority, board, commission, committee, council or other body when composed of two or more members to exercise a policy or function.
- Any meeting, assembly or gathering at any time or place or communication by conference telephone or other electronic means for the purpose of conducting business
- Full and accurate minutes of all sessions and/or sound or video recordings must be kept as public records
 - § 143.318.10

- Closed sessions allowed only to
 - Prevent the disclosure of privileged or confidential information
 - To prevent the premature disclosure of an honorary degree
 - To consult with an attorney
 - Discuss matters relating to the location or expansion of industries
 - To establish. Or to instruct the body of public position
 - To review an employee or to investigate an allegation or complaint
 - To plan, conduct or hear reports concerning criminal investigations or misconduct
 - To formulate plans relating to emergency response or potential terrorist activity

- Calling a closed session – only upon a motion made and adopted at an open meeting citing the name or citation of law rendering the information to be discussed privileged or confidential.
 - § 143.318.11

- Public notice of meetings should be kept on file and publically.
- If schedule is changed 7 days notice is to be given
- Any meeting held at a different location shall give public notice of time and place
- If meeting is to change venue after a recess the announcement must be made in the open meeting prior to recess
- For any meeting except an emergency meeting, written notice stating the purpose of the meeting is to be posted at least 48 hours prior.
- Notice of an emergency meeting (one called because of generally unexpected circumstances that require immediate consideration) is to be posted (publically and/or electronically) prior to this meeting. Only emergency business can be conducted.
- Publishing meeting notices via website fulfills requirements
 - §143.318.12

- Electronic meetings – a location and means where public can listen needs to be provided
- Written ballots – secret and/or written ballots may not be used unless the name of each member is written on their ballot. Ballots should be kept on public file until minutes of the meeting are approved.
- NO secret action can be taken by letter, vote or any secret method making it impossible for persons attending the meeting to understand what is being acted upon.
- Agenda's can be voted upon when made available to all
 - §143.318.13

- Broadcasting or recording meetings
 - Any broadcasting or photographing of public meetings is allowed
 - Consolidation and placement of equipment may be made so interference is avoided to the business being conducted
 - If media requests a larger venue to properly broadcast from, the board approves, all costs incurred are the responsibility of the requesting media
 - §143.318.14

- The General Court of Justice has all jurisdiction when a complaint is filed regarding a violation of open policy
 - §143.318.16

- When a complaint is filed it will be sent for immediate hearing, any action taken during this violation period is set aside. All complaints must be filed within 45 days of violation. Attorney fees can be assessed against the offender.
 - §143-318.16A

- Any person who refuses to leave after being asked to leave a meeting due to willful interruptions is guilty of a Class 2 misdemeanor
 - §143-318.17