

# Senate Bill 41

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that matters for which quorum of governing body may not meet in private for purpose of deciding or deliberating are limited to budget, fiscal or policy matters that are before, or likely to come before, governing body. Provides that certain communication, fact gathering activities or on-site inspections of property or facilities do not constitute governing body deciding on or deliberating toward decision.

## A BILL FOR AN ACT

1  
2 Relating to public meetings; amending ORS 192.630.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 192.630 is amended to read:

5 192.630. (1) All meetings of the governing body of a public body shall be open to the public and  
6 all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610  
7 to 192.690.

8 (2)(a) A quorum of a governing body may not meet in private for the purpose of deciding on or  
9 deliberating toward a decision on any **budget, fiscal or policy matter that is before or likely to**  
10 **come before the governing body** except as otherwise provided by ORS 192.610 to 192.690.

11 **(b) For purposes of this subsection, "deciding on or deliberating toward a decision" means**  
12 **the organized acts of a quorum of a governing body to discuss, work toward or achieve a**  
13 **final decision on a budget, fiscal or policy matter that is before, or likely to come before, the**  
14 **governing body, but does not include:**

15 **(A) Communication that is wholly unrelated to the conduct of the public's business;**

16 **(B) Fact gathering activities; or**

17 **(C) On-site inspections of property or facilities at a location other than the regularly**  
18 **scheduled meeting room of the governing body.**

19 (3) A governing body may not hold a meeting at any place where discrimination on the basis  
20 of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced. However,  
21 the fact that organizations with restricted membership hold meetings at the place does not restrict  
22 its use by a public body if use of the place by a restricted membership organization is not the pri-  
23 mary purpose of the place or its predominate use.

24 (4) Meetings of the governing body of a public body shall be held within the geographic bound-  
25 aries over which the public body has jurisdiction, or at the administrative headquarters of the public  
26 body or at the other nearest practical location. Training sessions may be held outside the jurisdic-  
27 tion as long as no deliberations toward a decision are involved. A joint meeting of two or more  
28 governing bodies or of one or more governing bodies and the elected officials of one or more feder-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 ally recognized Oregon Indian tribes shall be held within the geographic boundaries over which one  
2 of the participating public bodies or one of the Oregon Indian tribes has jurisdiction or at the  
3 nearest practical location. Meetings may be held in locations other than those described in this  
4 subsection in the event of an actual emergency necessitating immediate action.

5 (5)(a) It is discrimination on the basis of disability for a governing body of a public body to meet  
6 in a place inaccessible to persons with disabilities, or, upon request of a person who is deaf or hard  
7 of hearing, to fail to make a good faith effort to have an interpreter for persons who are deaf or  
8 hard of hearing provided at a regularly scheduled meeting. The sole remedy for discrimination on  
9 the basis of disability shall be as provided in ORS 192.680.

10 (b) The person requesting the interpreter shall give the governing body at least 48 hours' notice  
11 of the request for an interpreter, shall provide the name of the requester, sign language preference  
12 and any other relevant information the governing body may request.

13 (c) If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have  
14 an interpreter present, but the requirement for an interpreter does not apply to emergency meetings.

15 (d) If certification of interpreters occurs under state or federal law, the Oregon Health Author-  
16 ity or other state or local agency shall try to refer only certified interpreters to governing bodies  
17 for purposes of this subsection.

18 (e) As used in this subsection, "good faith effort" includes, but is not limited to, contacting the  
19 department or other state or local agency that maintains a list of qualified interpreters and ar-  
20 ranging for the referral of one or more qualified interpreters to provide interpreter services.

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