

**Representative Brady Brammer** proposes the following substitute bill:

**OPEN AND PUBLIC MEETING COMMENT REQUIREMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brady Brammer**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Open and Public Meetings Act relating to open meeting requirements.

**Highlighted Provisions:**

This bill:

- ▶ requires a public body holding an open meeting to allow a reasonable opportunity for the public to provide verbal comment at the meeting; and
- ▶ requires a public body to adopt a resolution, rule, or ordinance allowing public comment in a public meeting.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**52-4-201**, as last amended by Laws of Utah 2006, Chapter 263 and renumbered and amended by Laws of Utah 2006, Chapter 14



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **52-4-201** is amended to read:

28 **52-4-201. Meetings open to the public -- Exceptions.**

29 (1) A meeting is open to the public unless closed under Sections [52-4-204](#), [52-4-205](#),  
30 and [52-4-206](#).

31 (2) (a) A meeting that is open to the public includes a workshop or an executive  
32 session of a public body in which a quorum is present, unless closed in accordance with this  
33 chapter.

34 (b) A workshop or an executive session of a public body in which a quorum is present  
35 that is held on the same day as a regularly scheduled public meeting of the public body may  
36 only be held at the location where the public body is holding the regularly scheduled public  
37 meeting unless:

38 (i) the workshop or executive session is held at the location where the public body  
39 holds its regularly scheduled public meetings but, for that day, the regularly scheduled public  
40 meeting is being held at different location;

41 (ii) any of the meetings held on the same day is a site visit or a traveling tour and, in  
42 accordance with this chapter, public notice is given;

43 (iii) the workshop or executive session is an electronic meeting conducted according to  
44 the requirements of Section [52-4-207](#); or

45 (iv) it is not practicable to conduct the workshop or executive session at the regular  
46 location of the public body's open meetings due to an emergency or extraordinary  
47 circumstances.

48 (3) (a) (i) A public body holding a meeting that is open to the public shall allow a  
49 reasonable opportunity for the public to provide verbal comment during the meeting.

50 (ii) Subsection (3)(a)(i) does not apply to:

51 (A) a meeting that is a work session of the public body; or

52 (B) a planning commission meeting under Title 10, Chapter 9a, Part 3, General Land  
53 Use Provisions, or Title 17, Chapter 27a, Part 3, General Land Use Provisions.

54 (b) No later than July 1, 2022, a public body shall adopt a resolution, rule, or ordinance  
55 that provides a reasonable opportunity for the public to provide verbal and written comments in  
56 a meeting of the public body:

- 57           (i) that is open to the public; and  
58           (ii) to which Subsection (3)(a) applies.  
59           (c) Notwithstanding Subsections (3)(a) and (b), legislative rules govern public  
60 comment at a public meeting of the Legislature or of a legislative committee.