

HOUSE BILL NO. 120

INTRODUCED BY T. MCGILLVRAY

BY REQUEST OF THE LEGISLATIVE COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW CONCERNING MINUTES FOR PUBLIC MEETINGS; CLARIFYING THAT AN OFFICIAL AUDIO RECORDING OF A PUBLIC MEETING CONSTITUTES THE OFFICIAL RECORD OF THE PUBLIC MEETING IF DESIGNATED AS OFFICIAL; REQUIRING A WRITTEN RECORD CONTAINING CERTAIN INFORMATION FOR A PUBLIC MEETING IF AUDIO MINUTES ARE DESIGNATED AS OFFICIAL MINUTES; AND AMENDING SECTION 2-3-212, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-3-212, MCA, is amended to read:

"2-3-212. Minutes of meetings -- public inspection. (1) Appropriate minutes of all meetings required by 2-3-203 to be open ~~shall~~ must be kept and ~~shall~~ must be available for inspection by the public. If an official audio recording of a meeting is made AND DESIGNATED AS OFFICIAL, the recording constitutes the official record of the meeting. If an official recording is made, a written record of the meeting must also be made and must include the information specified in subsection (2).

(2) ~~Such minutes shall~~ Minutes must include without limitation:

- (a) the date, time, and place of the meeting;
- (b) a list of the individual members of the public body, agency, or organization who were in attendance;
- (c) the substance of all matters proposed, discussed, or decided; ~~and~~ AND
- (d) at the request of any member, a record of votes by individual members ~~of~~ for any votes taken; ~~and.~~
- ~~(e) if~~(3) IF the minutes are recorded AND DESIGNATED AS THE OFFICIAL RECORD, a log or time stamp for

each MAIN agenda item IS REQUIRED FOR THE PURPOSE OF PROVIDING ASSISTANCE TO THE PUBLIC IN ACCESSING THAT PORTION OF THE MEETING."

- END -