

Senate Bill 1526

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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**.

Excludes certain types of communications from meaning of "deliberations" for purposes of public meetings law.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to deliberations of public bodies for purposes of public meetings; amending ORS 192.630;
3 and declaring an emergency.

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

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

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

9 (2)(a) A quorum of a governing body may not meet in private for the purpose of deciding on or
10 deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to
11 192.690.

12 **(b) For purposes of ORS 192.610 to 192.690, deliberations do not include:**

13 **(A) Physically written communications, communications by electronic mail or communi-**
14 **cations using other electronic technology that does not permit real-time communication or**
15 **that is not otherwise subject to ORS 192.670; or**

16 **(B) Multiple or related dialogues or other communications between members of a gov-**
17 **erning body in which:**

18 **(i) The subject of the dialogue or other communication is a matter pending decision by**
19 **the governing body; and**

20 **(ii) No single dialogue or other communication on the matter is with a quorum of the**
21 **governing body.**

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

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

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

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

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

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

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

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

22 **SECTION 2. This 2012 Act being necessary for the immediate preservation of the public**
 23 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
 24 **on its passage.**

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