

HOUSE BILL NO. 1305

Introduced by

Representative Glassheim

1 A BILL for an Act to amend and reenact section 44-04-19 of the North Dakota Century Code,
2 relating to the location of public meetings.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 44-04-19 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **44-04-19. Access to public meetings.** Except as otherwise specifically provided by
7 law, all meetings of a public entity must be open to the public. That portion of a meeting of the
8 governing body of a public entity as defined in subdivision c of subsection 12 of section
9 44-04-17.1 which does not regard public business is not required to be open under this section.

10 1. This section is violated when any person is denied access to a meeting under this
11 section, unless such refusal, implicitly or explicitly communicated, is due to a lack
12 of physical space in the meeting room for the person or persons seeking access.

13 2. For purposes of this section, the meeting room must be accessible to, and the size
14 of the room must accommodate, the number of persons reasonably expected to
15 attend the meeting.

16 3. A public entity may not hold a meeting subject to this section outside the
17 geographic boundaries over which the public entity has jurisdiction unless the
18 public entity takes no action, other than procedural votes, at that meeting.

19 4. The right of a person to attend a meeting under this section includes the right to
20 photograph, to record on audio or video tape and to broadcast live on radio or
21 television the portion of the meeting that is not held in executive session, provided
22 that there is no active interference with the conduct of the meeting. The exercise
23 of this right may not be dependent upon the prior approval of the governing body.

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Legislative Assembly

1 However, the governing body may impose reasonable limitations on recording
2 activity to minimize the possibility of disruption of the meeting.
3 ~~4.~~ 5. For meetings subject to this section where one or more of the members of the
4 governing body is participating by telephone or video, a speakerphone or monitor
5 must be provided at the location specified in the notice issued under section
6 44-04-20.