

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED SENATE BILL NO. 2180**

Introduced by

Senators Paulson, Luick, Weston

Representatives Louser, D. Ruby, D. Johnston

1 A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota
2 Century Code, relating to the opportunity to provide public comment at a meeting of a public
3 entity.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Public comment - Regular meetings of a public entity.**

8 1. Every regular meeting of a governing body of a city, county, township, school district,
9 park district, or water resource district must include an opportunity for an individual to
10 provide public comment.

11 2. An individual providing comment at a meeting shall provide to the governing body in
12 writing the individual's name and address. The individual's address is an exempt
13 record.

14 3. A governing body of a city, county, township, school district, park district, or water
15 resource district:

16 a. May limit a public comment only as follows, except as provided in subdivision b:

17 (1) By time per speaker, total time for public comment, or both.

18 (2) By agenda topic, to the agendas of the current and at least one preceding
19 meeting.

20 b. Shall develop a policy regarding public comment rules for regular meetings. The
21 policy may provide a public comment:

22 (1) Must be pertinent to the public entity.

- 1 (2) May not interfere with the orderly conduct of the regular meeting.
- 2 (3) May not be defamatory, abusive, harassing, or unlawful.
- 3 (4) May be prohibited if an alternative procedure exists to bring that particular
- 4 type of public comment before the public entity, the public comment includes
- 5 confidential or exempt information, or the public comment is otherwise
- 6 prohibited by law.