

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2402 Session of
1990

INTRODUCED BY FOX, MELIO, DeLUCA, CAPPABIANCA, GEORGE, MARKOSEK,
D. W. SNYDER, HECKLER, McVERRY, PERZEL, BUNT, SERAFINI,
O'BRIEN, CARN, J. TAYLOR, KENNEY, HERSHEY AND LaGROTTA,
MARCH 28, 1990

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 28, 1990

AN ACT

1 Amending the act of July 3, 1986 (P.L.388, No.84), entitled "An
2 act requiring public agencies to hold certain meetings and
3 hearings open to the public; and providing penalties,"
4 further providing for certain meetings to be open to the
5 public.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The definition of "meeting" in section 3 of the
9 act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act,
10 is amended to read:

11 Section 3. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 * * *

16 "Meeting." Any prearranged gathering of an agency which is
17 attended or participated in by a quorum of the members of an
18 agency held for the purpose of deliberating agency business or

1 taking official action. A jointly arranged meeting described in
2 section 4(b) shall be deemed a meeting without regard to whether
3 it is held for the purpose of deliberating agency business or
4 taking official action.

5 * * *

6 Section 2. Section 4 of the act is amended to read:

7 Section 4. Open meetings.

8 (a) General rule.--Official action and deliberations by a
9 quorum of the members of an agency shall take place at a meeting
10 open to the public unless closed under section 7, 8 or 12.

11 (b) Certain jointly arranged meetings.--In addition to any
12 other requirement prescribed by this act, a meeting jointly
13 arranged by two or more agencies which is attended or
14 participated in by any of the members of any participating
15 agency shall be open to the public if it involves the discussion
16 of taxes or fiscal matters, with tax implications, within the
17 jurisdiction of any participating agency, regardless of whether
18 any deliberations or official actions or votes are scheduled for
19 or occur at the meeting. The provisions of section 7, 8 or 12
20 authorizing closed meetings shall not apply to this subsection.
21 As used in this subsection, the term "agency" is limited to
22 political subdivisions of the Commonwealth, municipal, township
23 and local school authorities, school boards and local school
24 governing bodies, and committees of the foregoing, authorized by
25 those bodies to take official action or render advice on matters
26 of agency business.

27 Section 3. This act shall take effect in 60 days.