

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2408 Session of 2014

INTRODUCED BY CHRISTIANA, RAPP, MALONEY, SWANGER, MURT, SACCONI, MAHONEY, KAUFFMAN AND COHEN, JULY 9, 2014

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JULY 9, 2014

AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
 2 Consolidated Statutes, further providing for public notice;  
 3 and providing for notification of agency business required.

4 The General Assembly of the Commonwealth of Pennsylvania  
 5 hereby enacts as follows:

6 Section 1. Section 709(a) of Title 65 of the Pennsylvania  
 7 Consolidated Statutes is amended and the section is amended by  
 8 adding a subsection to read:

9 § 709. Public notice.

10 (a) Meetings.--An agency shall give public notice of its  
 11 first regular meeting of each calendar or fiscal year not less  
 12 than three days in advance of the meeting and shall give public  
 13 notice of the schedule of its remaining regular meetings. For  
 14 each regular meeting subsequent to the first regular meeting,  
 15 the agency shall give additional public notice at least 24 hours  
 16 in advance of the time of the convening of the meeting. An  
 17 agency shall give public notice of each special meeting or each  
 18 rescheduled regular or special meeting at least 24 hours in

1 advance of the time of the convening of the meeting specified in  
2 the notice. Public notice is not required in the case of an  
3 emergency meeting or a conference. Professional licensing boards  
4 within the Bureau of Professional and Occupational Affairs of  
5 the Department of State of the Commonwealth shall include in the  
6 public notice each matter involving a proposal to revoke,  
7 suspend or restrict a license.

8 \* \* \*

9 (c.1) Notification of agency business to be considered.--

10 Notice shall be as follows:

11 (1) Except as provided in paragraph (2), each public  
12 notice of a meeting required by this section shall include an  
13 agenda of the meeting, which includes a listing of each  
14 matter of agency business that will be or may be the subject  
15 of deliberation or official action at the meeting.

16 (2) An agency is not required to include in its initial  
17 public notice of the schedule of regular meetings required  
18 under subsection (a) an agenda with a listing of each matter  
19 of agency business that will be or may be the subject of  
20 deliberation at the meetings.

21 (3) With respect to any meeting covered under paragraph  
22 (1), the agency shall also post the agenda, which includes a  
23 listing of each matter of agency business that will be or may  
24 be the subject of deliberation or official action at the  
25 meeting, at the location of the meeting and on its publicly  
26 accessible Internet website and make the agenda available to  
27 individuals in attendance at the meeting.

28 \* \* \*

29 Section 2. Title 65 is amended by adding a section to read:  
30 § 712.1. Notification of agency business required.

1       (a) Official action.--Except as provided in subsection (b),  
2 an agency may not take official action on a matter of agency  
3 business at a meeting if the matter was not included in the  
4 public notice for the meeting, as required in section 709(c.1)  
5 (relating to public notice).

6       (b) Emergency business.--An agency may take official action  
7 on a matter of agency business relating to a real or potential  
8 emergency involving a clear and present danger to life or  
9 property at an emergency meeting regardless of whether public  
10 notice was given for the meeting.

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