

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 554

PRINTER NO. 581

AMOUNT

No Fiscal Impact

FUND

General Fund
Political subdivisions

DATE INTRODUCED

April 13, 2021

PRIME SPONSOR

Senator Stefano

DESCRIPTION

Senate Bill 554 amends the Sunshine Act contained in Title 65 (Public Officers) to require agencies to make detailed public meeting agendas available 24 hours prior to a meeting.

The legislation requires that if an agency has a publicly accessible internet website, it must post a meeting agenda with a list of each matter of agency business that will be the subject of deliberation or official action not later than 24 hours in advance of the meeting. It requires the agency to post the meeting agenda at both the location of the meeting and at the agency's principle office. It also requires the agency to make copies of the meeting agenda available to individuals in attendance at the meeting.

The legislation prohibits an agency from taking official action on a matter of agency business at a meeting if the matter was not included in the required notification, except under the following circumstances: (1) it relates to an emergency involving a clear and present danger to life or property; (2) it is de minimis in nature and does not involve the expenditure of funds or entering into a contract or agreement; (3) it is brought to the attention of the agency by a taxpayer at a meeting and the action involves referring the matter to staff for further research; or (4) it is added to the agenda by a majority vote of the individuals present and voting at the meeting, and the reason for the added item is announced before the vote.

The legislation provides that for matters added to an agenda by a majority vote, the agency may subsequently take official action on the matter. It also requires the agency to post the amended agenda on its publicly accessible internet website, if available, and at its principal office location no later than the first business day following the meeting at which the agenda was changed. Anything added to the agenda that is acted on, the substance, and votes on the matter shall be recorded in the minutes.

The legislation is scheduled to take effect in 60 days.

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FISCAL IMPACT

The enactment of Senate Bill 554 will have no fiscal impact on the Commonwealth or its political subdivisions to adhere to the provisions contained in the legislation. The administrative responsibilities delegated to agencies to post detailed agendas in advance of meetings should pose minimal expense and can be accomplished within their existing operating budgets.