

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 311**

Short Title: Notice of Special/Emergency Meetings. (Public)

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Sponsors: Representatives Cleveland; Brown, Current, Killian, Lewis, McGee, and Pate.

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Referred to: Local Government I, if favorable, Judiciary II.

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February 22, 2007

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE FOR BETTER NOTICE OF SPECIAL AND EMERGENCY  
MEETINGS UNDER THE OPEN MEETINGS ACT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-318.12(b) reads as rewritten:

"(b) If a public body holds an official meeting at any time or place other than a time or place shown on the schedule filed pursuant to subsection (a) of this section, it shall give public notice of the time and place of that meeting as provided in this subsection.

(1) If a public body recesses a regular, special, or emergency meeting held pursuant to public notice given in compliance with this subsection, and the time and place at which the meeting is to be continued is announced in open session, no further notice shall be required.

(2) For any other meeting, except an emergency meeting, the public body shall cause written notice of the meeting stating its purpose (i) to be posted on the principal bulletin board of the public body or, if the public body has no such bulletin board, at the door of its usual meeting room, (ii) if the public body has a Web site, to be posted there, and (iii) (iii) to be mailed—mailed, e-mailed, or delivered to each newspaper, wire service, radio station, and television station, which has filed a written request for notice with the clerk or secretary of the public body or with some other person designated by the public body. The public body shall also cause notice to be mailed—mailed, e-mailed, or delivered to any person, in addition to the representatives of the media listed above, who has filed a written request with the clerk, secretary, or other person designated by the public body. This notice shall be posted and mailed or delivered at least 48 hours before the time of the ~~meeting.~~ meeting, except if the only newspaper that has requested

1           notice publishes weekly, the notice shall be mailed or delivered at least  
2           eight days before the time of the meeting. The public body may require  
3           each newspaper, wire service, radio station, and television station  
4           submitting a written request for notice to renew the request annually.  
5           The public body shall charge a fee to persons other than the media,  
6           who request notice, of ten dollars (\$10.00) per calendar year, and may  
7           require them to renew their requests quarterly. No fee shall be charged  
8           for notices sent by e-mail.

- 9           (3) For an emergency meeting, the public body shall cause notice of the  
10          meeting stating its purpose (i) to be posted prior to the meeting on the  
11          principal bulletin board of the public body or, if the public body has no  
12          such bulletin board, at the door of its usual meeting room, unless a  
13          disaster has made it impossible to post such notices and the meeting is  
14          not being held in the building where meetings are usually held, (ii) to  
15          be given prior to the meeting to each local newspaper, local wire  
16          service, local radio station, and local television station that has filed a  
17          written request, which includes the newspaper's, wire service's, or  
18          station's e-mail address or telephone number, for emergency notice  
19          with the clerk or secretary of the public body or with some other  
20          person designated by the public body; (iii) if the public body has  
21          a Web site, to be posted there prior to the meeting unless a disaster has  
22          made that impossible, and (iv) if the public body has e-mail and if any  
23          person has provided an e-mail address and requested notice of  
24          meetings of the board, to be given prior to the meeting to such person  
25          by e-mail unless a disaster has made it impossible to send e-mail. This  
26          ~~notice~~ The notice under subdivision (ii) shall be given either by e-mail,  
27          ~~telephone~~ telephone, or by the same method used to notify the  
28          members of the public body and shall be given immediately after  
29          notice has been given to those members. This notice shall be given at  
30          the expense of the party notified. An "emergency meeting" is one  
31          called because of generally unexpected circumstances that require  
32          immediate consideration by the public body. Only business connected  
33          with the emergency may be considered at a meeting to which notice is  
34          given pursuant to this paragraph."

35           **SECTION 2.** This act applies with respect to meetings held on or after  
36          October 1, 2007.