

Changes to Open Meeting Law – Part 1: Agendas

Here's what the new section of code will say for agenda notification:

67-2343 (4) An agenda shall be required for each meeting. The agenda shall be posted in the same manner as the notice of the meeting. An agenda may be amended, provided that a good faith effort is made to include, in the original agenda notice, all items known to be probable items of discussion.

(a) If an amendment to an agenda is made after an agenda is posted but forty-eight (48) hours or more prior to the start of a regular meeting, or twenty-four (24) hours or more prior to the start of a special meeting, then the agenda is amended upon the posting of the amended agenda.

(b) If an amendment to an agenda is proposed after an agenda has been posted and less than forty-eight (48) hours prior to a regular meeting or less than twenty-four (24) hours prior to a special meeting but prior to the start of the meeting, the proposed amended agenda shall be posted but shall not become effective until a motion is made at the meeting and the governing body votes to amend the agenda.

(c) An agenda may be amended after the start of a meeting upon a motion that states the reason for the amendment and states the good faith reason the agenda item was not included in the original agenda posting.

To summarize:

- More than 48 hours before (or 24 for special meeting) but agenda is posted – post amended agenda and no vote needed.
- Less than 48 (24) hours before, post the amended agenda, but vote to accept in meeting.
- At the start of the meeting – motion stating reason for amendment and good faith reason why item wasn't included. Vote to amend.

July 1, 2009 ~ State of Idaho Code