

Open Meetings Act of 2003

105.10 – Definitions

- 105.1 “Student Government Agencies” means any board, commission, committee, subcommittee, ad hoc committee, advisory committee, council, agency, or Senate body, established, created, and controlled by the University of Kentucky Student Government; or
- 105.11 Any interagency body of two (2) or more public agencies where one of them is a Student Government Agency defined in paragraph (a) of this subsection;
- 105.12 “Action taken” means a collective decision, a commitment or promise to make a positive or negative decision, or an actual vote by a majority of the members of the Student Government Agency.
- 105.13 “Member” means a member of the governing body of the Agency and does not include employees or licensees of the Agency.
- 105.14 “Video teleconference” means one (1) meeting, occurring in two (2) or more locations, where individuals can see and hear each other by means of video and audio equipment.
- 105.15 “Meeting” means all gatherings of every kind, including video teleconferences, regardless of where the meeting is held, and whether regular or special and informational or casual gatherings held in anticipation of or in conjunction with a regular or special meeting;

105.20 – General Meeting Requirements

- 105.2 All meetings of all Student Government Agencies (“Agencies”) shall be held at specified times and places which are convenient to the public, and all public agencies shall provide for a schedule of regular meetings by statute, order, resolution, bylaws, or by whatever other means may be required for the conduct of business of that public agency. The schedule of regular meetings shall be made available to the public.

105.30 – Minutes

- 105.3 The minutes of action taken at every meeting of any Agency, setting forth an accurate record of votes and actions at such meetings shall be promptly recorded and such records shall be open to public inspection at reasonable times no later than immediately following the next meeting of the body.
- 105.31 No condition other than those required for the maintenance of order shall apply to the attendance of any member of the public at any meeting of an Agency. No

person may be required to identify himself in order to attend any such meeting. All Agencies shall provide meeting room conditions which insofar as is feasible allow effective public observation of the public meetings. All Agencies shall permit news media coverage, including but not limited to recording and broadcasting.

105.40 – Open Meeting Exceptions

- 105.4 All meetings of a quorum of the members of any Agency at which any public business is discussed or at which any action is taken by the Agency, shall be public meetings, open to the public at all times, except for the following:
- 105.41 Deliberations on the future acquisition or sale of real property by an Agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by the Agency;
 - 105.42 Discussions of proposed or pending litigation against or on behalf of the Agency;
 - 105.43 Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's, or student's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret;
 - 105.44 Discussions between Agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the sitting, retention, expansion, or upgrading of the business.
 - 105.45 Cabinet meetings and executive cabinet meetings;
 - 105.4 Committees of the Student Senate other than standing committees;
 - 105.46 Deliberations of judicial or quasi-judicial bodies regarding individual adjudications or appointments, at which neither the person involved, his representatives, nor any other individual not a member of the agency's governing body or staff is present.
 - 105.47 Meetings that federal or state law specifically requires to be conducted in privacy; and
 - 105.48 Meetings which the Kentucky Constitution provides shall be held in secret.
 - 105.49 Any series of less than quorum meetings, where the members attending one (1) or more of the meetings collectively constitute at least a quorum of the members of the Agency and where the meetings are held for the purpose of avoiding the requirements of subsection (1) of this section, shall be subject to the requirements

of subsection (1) of this section. Nothing in this subsection shall be construed to prohibit discussions between individual members where the purpose of the discussions is to educate the members on specific issues.

105.50– Closed Session Procedures

105.5 – Except as provided in subsection (2) of this section, the following requirements shall be met as a condition for conducting closed sessions authorized by this Act:

- (a) Notice shall be given in regular open meeting of the general nature of the business to be discussed in closed session, the reason for the closed session, and the specific provision authorizing the closed session;
- (b) Closed sessions may be held only after a motion is made and carried by a majority vote in open, public session;
- (c) No final action may be taken at a closed session; and
- (d) No matters may be discussed at a closed session other than those publicly announced prior to convening the closed session.

150.60 – Special meetings

105.6 The presiding officer or a majority of the members of the Agency may call a special meeting.

105.61 The Agency shall provide written notice of the special meeting. The notice shall consist of the date, time, and place of the special meeting and the agenda. Discussions and action at the meeting shall be limited to items listed on the agenda in the notice.

105.62 As soon as possible, written notice shall be delivered personally, transmitted by facsimile machine, or mailed to every member of the public agency as well as each media organization which has filed a written request, including a mailing address, to receive notice of special meetings. The notice shall be calculated so that it shall be received at least twenty-four (24) hours before the special meeting. The Agency may periodically, but no more often than once in a calendar year, inform media organizations that they will have to submit a new written request or no longer receive written notice of special meetings until a new written request is filed.

105.63 As soon as possible, written notice shall be posted in a conspicuous place in the building where the special meeting will take place and in a conspicuous place in the building which houses the headquarters of the Agency. The notice shall be calculated so that it shall be posted at least twenty-four (24) hours before the special meeting.

105.64 In the case of an emergency which prevents compliance with subsections (3) and (4) of this section, this subsection shall govern an Agency's conduct of a special meeting. The special meeting shall be called pursuant to subsection (2) of this section. The Agency shall make a reasonable effort, under emergency circumstances, to notify the members of the Agency, media organizations which have filed a written request pursuant to subsection (4) of this section, and the public of the emergency meeting. At the beginning of the emergency meeting, the person chairing the meeting shall briefly describe for the record the emergency circumstances preventing compliance with subsections (3) and (4) of this section. These comments shall appear in the minutes. Discussions and actions at the emergency meeting shall be limited to the emergency for which the meeting is called.

150.70 – Sunset Clause

150.7 According to Section V(a) of the Sunset Act of 2017, "All legislation presented to Full Senate [...] shall contain a "Sunset Clause," in which an expiration date and renewal period are chosen."

(a) The expiration date for the Open Meetings Act is November 30.

(b) The renewal period for the Open Meetings Act is three (3) years.