WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED
Committee Substitute
SENATE BILL NO. 526

(By Senator
President)

PASSED March 14, 1987
In Effect 30 days from Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 526
(SENATOR TONKOVICH, MR. PRESIDENT, original sponsor)

[Passed March 14, 1987; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article nine-a, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public notice of meetings; specifying the manner and time by which notice must be filed with the secretary of state; and providing for judicial invalidation for noncompliance.

Be it enacted by the Legislature of West Virginia:

That section three, article nine-a, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 9A. OPEN GOVERNMENTAL PROCEEDINGS.

§6-9A-3. Proceedings to be open; public notice of meetings.

1 Except as expressly and specifically otherwise provided by law, whether heretofore or hereinafter enacted, and except as provided in section four of this article, all meetings of any governing body shall be open to the public.
2 Any governing body may make and enforce reasonable rules and regulations for attendance and presentation at any meeting where there is not room enough for all members of the public who wish to attend, and this article
shall not be construed to prohibit the removal from a meeting of any member of the public who is disrupting the meeting to the extent that orderly conduct of the meeting is compromised: Provided, That persons who desire to address the governing body shall not be required to register to address said body more than fifteen minutes prior to time the scheduled meeting is to commence.

Each governing body shall promulgate rules by which the time and place of all regularly scheduled meetings and the time, place and purpose of all special meetings are made available, in advance, to the public and news media, except in the event of an emergency requiring immediate official action.

Each governing body of the executive branch of the state shall file a notice of any meeting with the secretary of state for publication in the state register. Each notice shall state the time, place and purpose of the meeting. Each notice shall be filed in a manner to allow each notice to appear in the state register at least five days prior to the date of the meeting.

In the event of an emergency requiring immediate official action, any governing body of the executive branch of the state may file an emergency meeting notice at any time prior to the meeting. The emergency meeting notice shall state the time, place and purpose of the meeting and the facts and circumstances of the emergency.

Upon petition by any adversely affected party any court of competent jurisdiction may invalidate any action taken at any meeting for which notice did not comply with the requirements of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ............this the ..........day of ............1987.

Governor