

Introduced by

Judiciary Committee

(At the request of the Supreme Court)

1 A BILL for an Act to amend and reenact subsection 9 of section 44-04-17.1 of the North Dakota
2 Century Code, relating to the definition of meeting.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 9 of section 44-04-17.1 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 9. a. "Meeting" means a formal or informal gathering or a work session, whether in
7 person or through any electronic means, of:

8 (1) A quorum of the members of the governing body of a public entity regarding
9 public business; or

10 (2) Less than a quorum of the members of the governing body of a public entity
11 regarding public business, if the members attending one or more of the
12 smaller gatherings collectively constitute a quorum and if the members hold
13 the gathering for the purpose of avoiding the requirements of section
14 44-04-19.

15 b. "Meeting" does not include:

16 (1) A chance or social gathering at which public business is not considered;

17 (2) Emergency operations during a disaster or emergency declared under
18 section 37-17.1-10 or an equivalent ordinance if a quorum of the members
19 of the governing body are present but are not discussing public business as
20 the full governing body or as a task force or working group;

21 (3) The attendance of members of a governing body at meetings of any
22 national, regional, or state association to which the public entity, the
23 governing body, or individual members belong;

1 (4) Training seminars at which no other public business is considered or
2 discussed; and

3 (5) Administration of examinations by a regulatory board when no other public
4 business is considered or discussed; ~~and~~

5 ~~(6) A formal or informal gathering or work session, whether in-person or through~~
6 ~~electronic means of the judicial branch or a committee or workgroup of the~~
7 ~~judicial branch.~~

8 c. Notwithstanding subdivisions a and b, as applied to the legislative assembly,
9 "meeting" means any gathering subject to section 14 of article IV of the
10 Constitution of North Dakota.

11 d. Notwithstanding subdivisions a and b, "meeting" does not include any meeting of
12 the judicial branch or a committee or workgroup of the judicial branch. Such
13 meetings are governed by section 5 of article XI of the Constitution of North
14 Dakota.