

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 870
Committee Substitute Favorable 4/25/13
Third Edition Engrossed 5/9/13

Short Title: Record Closed Sessions of Public Bodies.

(Public)

Sponsors:

Referred to:

April 15, 2013

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALL PUBLIC BODIES TO RECORD MEETINGS HELD IN
CLOSED SESSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-318.10(e) reads as rewritten:

"(e) Every public body shall keep full and accurate minutes of all official meetings, including any closed sessions held pursuant to G.S. 143-318.11. Such minutes may be in written form or, at the option of the public body, may be in the form of sound or video and sound recordings. ~~When~~ In addition to the requirements of subsection (f) of this section, when a public body meets in closed session, it shall keep a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired. Such accounts may be a written narrative, or video or audio recordings. Such minutes and accounts shall be public records within the meaning of the Public Records Law, G.S. 132-1 et seq.; provided, however, that minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session."

SECTION 2. G.S. 143-318.10 is amended by adding a new subsection to read:

"(f) All closed sessions held by a public body shall be recorded in the form of sound or video and sound recordings. The recordings of closed sessions that become eligible for public inspection must be retained for at least two years from the date of the public release of the recording. Release of a recording of a closed session shall be governed by subsection (e) of this section. The recording shall be a supplement to the general account of the closed session.

The obligation created under this subsection to record a closed session using sound or video and sound recording does not apply to a closed session or a portion of a session that is closed (i) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or the United States, or (ii) pursuant to G.S. 143-318.11(a)(3), (a)(6), or (a)(9)."

SECTION 3. This act becomes effective October 1, 2013. Public bodies using sound or video and sound recording pursuant to G.S. 143-318.10(e) before October 1, 2013, shall use sound or video and sound recording for closed sessions held on or after October 1, 2013. Public bodies not using sound or video and sound recording pursuant to G.S. 143-318.10(e) before October 1, 2013, shall begin using sound or video and sound recordings for closed session no later than July 1, 2014.

