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**June 13, 2018**

## **Re: Legislative Alert, Please Take Action**

### **Revisions to OPRA & OPMA Scheduled for Senate Committee Consideration**

On Thursday, June 14, the Senate State Government Committee will consider [S-106](#) and [S-107](#), bills which will revise the Open Public Meetings Act (OPMA) and the Open Public Records Act (OPRA). Though we anticipate committee amendments, these bills are, as introduced, substantively similar to bills from last year.

We appreciate the sponsor's (Senator Weinberg) willingness to continue the dialogue on the bill, however, the League maintains **opposition** to the legislation.

While the requirements of the subcommittee are not as onerous as originally proposed in earlier versions, the legislation still subjects subcommittees to quarterly reporting, governing body determination of public access, and notice requirements. Subcommittees do not expend public funds nor enact public laws or policies. Subcommittees are advisory, consultative, and deliberative. Advisory, consultative, deliberative records are exempt from public disclosure, and we believe this should be the case with subcommittees.

Further, the expansion of mandatory prevailing attorney fees for Open Public Meetings Act violations is troubling. The discretion to award prevailing attorney fees should remain with the Judge based on the facts and circumstances of the case. We strongly urge that Open Public Records Act be amended to make prevailing attorney fees permissive.

**Please take action** and contact the members of the Committee (contact information below) and your State Senator and **ask that they oppose S-106 and S-107**.

#### **Senate Government, Wagering, Tourism & Historic Preservation Committee**

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