

REFERENCE TITLE: public meetings; definition

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

SB 1435

Introduced by
Senators Allen, Begay, Burges; Representative Bowers; Senators Farnsworth
D, Lesko, McGuire, Pancrazi, Shooter, Worsley, Yee; Representatives Cobb,
Finchem, Livingston

AN ACT

AMENDING SECTION 38-431, ARIZONA REVISED STATUTES; RELATING TO PUBLIC
MEETINGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-431, Arizona Revised Statutes, is amended to
3 read:

4 38-431. Definitions

5 In this article, unless the context otherwise requires:

6 1. "ACTION" MEANS THE CONDUCTING OF THE OFFICIAL BUSINESS OF A PUBLIC
7 BODY AT WHICH LEGAL ACTION IS TAKEN.

8 ~~1-~~ 2. "Advisory committee" or "subcommittee" means any entity,
9 however designated, that is officially established, on motion and order of a
10 public body or by the presiding officer of the public body, and whose members
11 have been appointed for the specific purpose of making a recommendation
12 concerning a decision to be made or considered or a course of conduct to be
13 taken or considered by the public body.

14 ~~2-~~ 3. "Executive session" means a gathering of a quorum of members of
15 a public body from which the public is excluded for one or more of the
16 reasons prescribed in section 38-431.03. In addition to the members of the
17 public body, officers, appointees and employees as provided in section
18 38-431.03 and the auditor general as provided in section 41-1279.04, only
19 individuals whose presence is reasonably necessary in order for the public
20 body to carry out its executive session responsibilities may attend the
21 executive session.

22 ~~3-~~ 4. "Legal action" means a collective decision, commitment or
23 promise made by a public body pursuant to the constitution, the public body's
24 charter, bylaws or specified scope of appointment and the laws of this state.

25 ~~4-~~ 5. "Meeting" means the gathering, in person or through
26 technological devices, of a quorum of members of a public body at which ~~they~~
27 ~~discuss, propose or take legal action, including any deliberations by a~~
28 ~~quorum with respect to such~~ action IS TAKEN.

29 ~~5-~~ 6. "Political subdivision" means all political subdivisions of
30 this state, including without limitation all counties, cities and towns,
31 school districts and special districts.

32 ~~6-~~ 7. "Public body" means the legislature, all boards and commissions
33 of this state or political subdivisions, all multimember governing bodies of
34 departments, agencies, institutions and instrumentalities of this state or
35 political subdivisions, including without limitation all corporations and
36 other instrumentalities whose boards of directors are appointed or elected by
37 this state or A political subdivision. Public body includes all
38 quasi-judicial bodies and all standing, special or advisory committees or
39 subcommittees of, or appointed by, the public body. Public body includes all
40 commissions and other public entities established by the Arizona Constitution
41 or by way of ballot initiative, including the independent redistricting
42 commission, and this article applies except and only to the extent that
43 specific constitutional provisions supersede this article.

44 ~~7-~~ 8. "Quasi-judicial body" means a public body, other than a court
45 of law, possessing the power to hold hearings on disputed matters between a
46 private person and a public agency and to make decisions in the general
47 manner of a court regarding such disputed claims.