

Councilmember Kenyan R. McDuffie



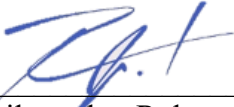
Chairman Phil Mendelson




Councilmember Anita Bonds



Councilmember Christina Henderson



Councilmember Robert C. White, Jr.



Councilmember Brianne K. Nadeau



Councilmember Brooke Pinto



Councilmember Matthew Frumin



Councilmember Janeese Lewis George



Councilmember Zachary Parker



Councilmember Charles Allen



Councilmember Wendell Felder

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Open Meetings Act to clarify the definition of “meeting”; to provide for a public body’s ability to be briefed about potential terrorist or public health threats so long as no official action is taken; to exempt from the act meetings between the Council and the Mayor provided that no official action is taken at such meetings; and to provide that a meeting shall be deemed open to the public if the public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Open Meetings Clarification Temporary Amendment Act of 2025”.

43 Sec. 2. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C.
44 Official Code § 2-571 *et seq.*), is amended as follows:

45 (a)(1) Section 404(1) (D.C. Official Code § 2-574(1)) is amended to read as follows:

46 “(1)(A) “Meeting” means any gathering of a quorum of the members of a public
47 body, including hearings and roundtables, whether formal or informal, regular, special, or
48 emergency, at which the members consider, conduct, or advise on public business, including
49 gathering information, taking testimony, discussing, deliberating, recommending, and voting,
50 regardless whether held in person, by telephone, electronically, or by other means of
51 communication.

52 “(B) The term “meeting” shall not include:

53 “(i) A chance or social gathering; provided, that it is not held to avoid the
54 provisions of this paragraph;

55 “(ii) A press conference;

56 “(iii) Field trips, site visits, or similar activities to gather information; or

57 “(iv) A retreat of the public body where there are discussions and briefings (but
58 no action is taken) about policy, issues or organizational matters.

59 “(C) For the purposes of the Council of the District of Columbia, the term
60 “meeting” means a regular or additional legislative meeting, and committee meetings where
61 votes are taken.”

62 (2) Section 404(3) is amended as follows:

63 (A) Paragraph (E) is amended by striking the word “or” at the end of the
64 phrase;

65 (B) Paragraph (F) is amended by striking the period at the end, and
66 inserting the phrase “; or” in its place.

67 (C) A new subparagraph (G) is added to read as follows:

68 “(G) the Criminal Justice Coordinating Council.”.

69 (b) Section 405 (D.C. Official Code § 2-575) is amended as follows:

70 (1) Subsection (a) is amended as follows:

71 (A) Paragraph (2) is amended by striking “or” at the end of the paragraph.

72 (B) Paragraph (3) is amended by striking the phrase “televised.” and inserting
73 the phrase “televised; or” in its place.

74 (C) A new paragraph (4) is added to read as follows:

75 “(4) The public body takes steps reasonably calculated to allow the public to view
76 or hear the meeting while the meeting is taking place, or, if doing so is not technologically
77 feasible, as soon thereafter as reasonably practicable.”.

78 (2) Subsection (b) is amended as follows:

79 (A) Paragraph (8) is amended to read as follows:

80 “(8) To discuss and take action regarding specific methods and procedures to
81 protect the public or a public body from existing or potential terrorist activity or other substantial
82 dangers to public health and safety, or to receive briefings by staff members, legal counsel, law
83 enforcement officials, or emergency service officials concerning these methods and procedures;
84 provided, that disclosure could endanger the public or the public body;”

85 (B) Strike the phrase “; and” in paragraph (15) and insert “;” in its place.

86 (C) Strike the period at the end of paragraph (16)(B) and insert the phrase
87 “; and” in its place.

88 (D) A new paragraph (17) is added to read as follows:

89 “(b)(17) To be briefed about confidential negotiations, provided that no official action is
90 taken.”

91 (3) Subsection (f) is amended to read as follows:

92 “(f) Notwithstanding any provision of this act, the Council may adopt its own rules to
93 ensure the District’s open meetings policy, as established in section 402, is met with respect to
94 gatherings of councilmembers; provided that unless the Council adopts rules pursuant to this
95 subsection, this title shall apply to the Council.”

96 (4) A new subsection (h) is added to read as follows:

97 “(h) This act shall not apply to a meeting between members of the Council and the
98 Mayor, provided that no official action is decided at the meeting.”

99 (c) Section 406 (D.C. Official Code § 2-576) is amended as follows:

100 (1) Paragraph (1) is amended by striking the phrase "Except for emergency
101 meetings," at the beginning of the second sentence, and inserting the phrase "attempt to" after
102 the word “shall” in the second sentence.

103 (2) Paragraph (3) is amended by striking the phrase "Notwithstanding the notice
104 requirement of paragraph (2) of this subsection, except", and inserting the phrase “Except” in its
105 place.

106 (3) Paragraph (4) is amended by inserting the phrase "and notwithstanding
107 paragraphs (1) and (3) of this subsection," after the word “matter,”.

108 (d) Section 407(a) (D.C. Official Code § 2-577(a)) is amended as follows:

109 (1) Paragraph (1) is amended to read as follows:

110 “(1) Reasonable arrangements are made to accommodate the public’s right to
111 attend the meeting, or steps are taken that are reasonably calculated to allow the public to view or
112 hear the meeting while the meeting is taking place, or if doing so is not technologically feasible,
113 as soon thereafter as reasonably practicable;”

114 (2) Paragraph (3) is amended by striking the phrase "taken by roll call" and
115 inserting the word “recorded” in its place.

116 (e) Section 409(a) (D.C. Official Code § 2-579(a)) is amended by striking the phrase
117 “Council meetings.” and inserting the phrase "meetings and gatherings of councilmembers." in
118 its place.

119 Sec. 3. Fiscal impact statement.

120 The Council adopts the fiscal impact statement in the committee report as the fiscal
121 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
122 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

123 Sec. 4. Effective date.

124 (a) This act shall take effect following approval of the Mayor (or in the event of veto by
125 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
126 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
127 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

128 (b) This act shall expire after 225 days of its having taken effect.