

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 627

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

1 RELATING TO OPEN MEETINGS; AMENDING SECTION 74-203, IDAHO CODE, TO RE-
2 VISE PROVISIONS REGARDING REQUIREMENTS FOR OPEN PUBLIC MEETINGS; AND
3 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 74-203, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 74-203. GOVERNING BODIES -- REQUIREMENT FOR OPEN PUBLIC MEETINGS. (1)
9 Except as provided below, all meetings of a governing body of a public agency
10 shall be open to the public and all persons shall be permitted to attend any
11 meeting except as otherwise provided by this act. No decision at a meeting of
12 a governing body of a public agency shall be made by secret ballot.

13 (2) Deliberations of the board of tax appeals created in chapter 38, ti-
14 tle 63, Idaho Code, the public utilities commission and the industrial com-
15 mission in a fully submitted adjudicatory proceeding in which hearings, if
16 any are required, have been completed, and in which the legal rights, duties
17 or privileges of a party are to be determined are not required by this act to
18 take place in a meeting open to the public. Such deliberations may, however,
19 be made and/or conducted in a public meeting at the discretion of the agency.

20 (3) Meetings of the Idaho life and health insurance guaranty associa-
21 tion established under chapter 43, title 41, Idaho Code, the Idaho insurance
22 guaranty association established under chapter 36, title 41, Idaho Code, the
23 surplus line association approved by the director of the Idaho department of
24 insurance as authorized under chapter 12, title 41, Idaho Code, and the Idaho
25 depredating wildlife appeals board established under chapter 55, title 22,
26 Idaho Code, are not required by this act to take place in a meeting open to the
27 public.

28 (4) A governing body shall not hold a meeting at any place where dis-
29 crimination on the basis of race, creed, color, sex, age or national origin
30 is practiced.

31 (5) All meetings may be conducted using telecommunications devices
32 which enable all members of a governing body participating in the meeting
33 to communicate with each other. Such devices may include, but are not lim-
34 ited to, telephone or video conferencing devices and similar communications
35 equipment. Participation by a member of the governing body through telecom-
36 munications devices shall constitute presence in person by such member at
37 the meeting; provided however, that at least one (1) member of the govern-
38 ing body, or the director of the public agency, or the chief administrative
39 officer of the public agency shall be physically present at the location
40 designated in the meeting notice, as required under section 74-204, Idaho
41 Code, to ensure that the public may attend such meeting in person. The com-

1 munications among members of a governing body must be audible to the public
2 attending the meeting in person and the members of the governing body.

3 (6) No person attending meetings shall be prevented or prohibited from
4 recording such meetings. For purposes of this subsection, "recording"
5 means the capturing of audio, video, or photographs by electronic or digital
6 means. A governing body may take measures to ensure the orderly conduct of
7 its meetings but shall not prohibit or unreasonably restrict recording as
8 provided under this subsection. No person shall be removed or excluded from
9 meetings for recording pursuant to the provisions of this subsection.

10 SECTION 2. An emergency existing therefor, which emergency is hereby
11 declared to exist, this act shall be in full force and effect on and after
12 July 1, 2026.