

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 2344, Page 1, Section A, Line 2, by  
2 inserting immediately after said line the following:

3  
4 "610.010. As used in this chapter, unless the context otherwise indicates, the following  
5 terms mean:

6 (1) "Closed meeting", "closed record", or "closed vote", any meeting, record or vote closed  
7 to the public;

8 (2) "Copying", if requested by a member of the public, copies provided as detailed in  
9 section 610.026, if duplication equipment is available;

10 (3) "Public business", all matters which relate in any way to the performance of the public  
11 governmental body's functions or the conduct of its business;

12 (4) "Public governmental body", any legislative, administrative or governmental entity  
13 created by the constitution or statutes of this state, by order or ordinance of any political subdivision  
14 or district, judicial entities when operating in an administrative capacity, or by executive order,  
15 including:

16 (a) Any body, agency, board, bureau, council, commission, committee, board of regents or  
17 board of curators or any other governing body of any institution of higher education, including a  
18 community college, which is supported in whole or in part from state funds, including but not  
19 limited to the administrative entity known as "The Curators of the University of Missouri" as  
20 established by section 172.020;

21 (b) Any advisory committee or commission appointed by the governor by executive order;

22 (c) Any department or division of the state, of any political subdivision of the state, of any  
23 county or of any municipal government, school district or special purpose district including but not  
24 limited to sewer districts, water districts, and other subdistricts of any political subdivision;

25 (d) Individual members of the general assembly;

26 (e) Any other legislative or administrative governmental deliberative body under the  
27 direction of three or more elected or appointed members having rulemaking or quasi-judicial power;

28 [(e)] (f) Any committee appointed by or at the direction of any of the entities and which is  
29 authorized to report to any of the above-named entities, any advisory committee appointed by or at  
30 the direction of any of the named entities for the specific purpose of recommending, directly to the  
31 public governmental body's governing board or its chief administrative officer, policy or policy  
32 revisions or expenditures of public funds including, but not limited to, entities created to advise bi-  
33 state taxing districts regarding the expenditure of public funds, or any policy advisory body, policy  
34 advisory committee or policy advisory group appointed by a president, chancellor or chief executive  
35 officer of any college or university system or individual institution at the direction of the governing  
36 body of such institution which is supported in whole or in part with state funds for the specific

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1 purpose of recommending directly to the public governmental body's governing board or the  
 2 president, chancellor or chief executive officer policy, policy revisions or expenditures of public  
 3 funds provided, however, the staff of the college or university president, chancellor or chief  
 4 executive officer shall not constitute such a policy advisory committee. The custodian of the  
 5 records of any public governmental body shall maintain a list of the policy advisory committees  
 6 described in this subdivision;

7 [(f)] (g) Any quasi-public governmental body. The term "quasi-public governmental body"  
 8 means any person, corporation or partnership organized or authorized to do business in this state  
 9 pursuant to the provisions of chapter 352, 353, or 355, or unincorporated association which either:

10 a. Has as its primary purpose to enter into contracts with public governmental bodies, or to  
 11 engage primarily in activities carried out pursuant to an agreement or agreements with public  
 12 governmental bodies; or

13 b. Performs a public function as evidenced by a statutorily based capacity to confer or  
 14 otherwise advance, through approval, recommendation or other means, the allocation or issuance of  
 15 tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the  
 16 contracting of leaseback agreements on structures whose annualized payments commit public tax  
 17 revenues; or any association that directly accepts the appropriation of money from a public  
 18 governmental body, but only to the extent that a meeting, record, or vote relates to such  
 19 appropriation; and

20 [(g)] (h) Any bi-state development agency established pursuant to section 70.370;

21 (5) "Public meeting", any meeting of a public governmental body subject to sections  
 22 610.010 to 610.030 at which any public business is discussed, decided, or public policy formulated,  
 23 whether such meeting is conducted in person or by means of communication equipment, including,  
 24 but not limited to, conference call, video conference, internet chat, or internet message board. The  
 25 term "public meeting" shall not include an informal gathering of members of a public governmental  
 26 body for ministerial or social purposes when there is no intent to avoid the purposes of this chapter,  
 27 but the term shall include a public vote of all or a majority of the members of a public governmental  
 28 body, by electronic communication or any other means, conducted in lieu of holding a public  
 29 meeting with the members of the public governmental body gathered at one location in order to  
 30 conduct public business;

31 (6) "Public record", any record, whether written or electronically stored, retained by or of  
 32 any public governmental body including any report, survey, memorandum, or other document or  
 33 study prepared for the public governmental body by a consultant or other professional service paid  
 34 for in whole or in part by public funds, including records created or maintained by private  
 35 contractors under an agreement with a public governmental body or on behalf of a public  
 36 governmental body; provided, however, that personally identifiable student records maintained by  
 37 public educational institutions shall be open for inspection by the parents, guardian or other  
 38 custodian of students under the age of eighteen years and by the parents, guardian or other custodian  
 39 and the student if the student is over the age of eighteen years. The term "public record" shall not  
 40 include any internal memorandum or letter received or prepared by or on behalf of a member of a  
 41 public governmental body consisting of advice, opinions and recommendations in connection with  
 42 the deliberative decision-making process of said body, unless such records are retained by the public  
 43 governmental body or presented at a public meeting. Any document or study prepared for a public  
 44 governmental body by a consultant or other professional service as described in this subdivision  
 45 shall be retained by the public governmental body in the same manner as any other public record;

46 (7) "Public vote", any vote, whether conducted in person, by telephone, or by any other  
 47 electronic means, cast at any public meeting of any public governmental body."; and  
 48

- 1 Further amend said bill by amending the title, enacting clause, and intersectional references
- 2 accordingly.