

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 870
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HOUSE PRINCIPAL CLERK

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HOUSE DRH70314-MM-42A (03/08)

Short Title: Record Closed Sessions of Public Bodies. (Public)

Sponsors: Representative Dixon.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE ALL PUBLIC BODIES TO RECORD MEETINGS HELD IN
3 CLOSED SESSION.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** G.S. 143-318.10(e) reads as rewritten:
6 "(e) Every public body shall keep full and accurate minutes of all official meetings,
7 including any closed sessions held pursuant to G.S. 143-318.11. Such minutes may be in
8 written form or, at the option of the public body, may be in the form of sound or video and
9 sound recordings. ~~When~~ In addition to the requirements of subsection (f) of this section, when
10 a public body meets in closed session, it shall keep a general account of the closed session so that
11 a person not in attendance would have a reasonable understanding of what transpired. Such
12 accounts may be a written narrative, or video or audio recordings. Such minutes and accounts
13 shall be public records within the meaning of the Public Records Law, G.S. 132-1 et seq.;
14 provided, however, that minutes or an account of a closed session conducted in compliance
15 with G.S. 143-318.11 may be withheld from public inspection so long as public inspection
16 would frustrate the purpose of a closed session."
17 **SECTION 2.** G.S. 143-318.10 is amended by adding a new subsection to read:
18 "(f) All closed sessions held by a public body shall be recorded in the form of sound or
19 video and sound recordings. The recordings of closed sessions that become eligible for public
20 inspection must be retained for at least two years from the date of the public release of the
21 recording. Release of a recording of a closed session shall be governed by subsection (e) of this
22 section. The recording shall be a supplement to the general account of the closed session.
23 The obligation created under this subsection to record a closed session using sound or video
24 and sound recording does not apply to a closed session or a portion of a session that is closed
25 pursuant to G.S. 143-318.11(a)(6)."
26 **SECTION 3.** This act becomes effective October 1, 2013. Public bodies using
27 sound or video and sound recording pursuant to G.S. 143-318.10(e) before October 1, 2013,
28 must use those or similar resources to record closed sessions held on or after October 1, 2013.
29 Public bodies not using sound or video and sound recording pursuant to G.S. 143-318.10(e)
30 before October 1, 2013, must begin using sound or video and sound recordings for closed
31 session no later than July 1, 2014.

