

House Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

CHAPTER 135

**HOUSE BILL 2410**

AN ACT

AMENDING SECTION 38-431.09, ARIZONA REVISED STATUTES; RELATING TO PUBLIC MEETINGS AND PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 38-431.09, Arizona Revised Statutes, is amended to  
3 read:

4 38-431.09. Declaration of public policy

5 A. It is the public policy of this state that meetings of public  
6 bodies be conducted openly and that notices and agendas be provided for such  
7 meetings which contain such information as is reasonably necessary to inform  
8 the public of the matters to be discussed or decided. Toward this end, any  
9 person or entity charged with the interpretations of this article shall  
10 construe ~~any provision of~~ this article in favor of open and public meetings.

11 B. NOTWITHSTANDING SUBSECTION A, IT IS NOT A VIOLATION OF THIS ARTICLE  
12 IF A MEMBER OF A PUBLIC BODY EXPRESSES AN OPINION OR DISCUSSES AN ISSUE WITH  
13 THE PUBLIC EITHER AT A VENUE OTHER THAN AT A MEETING THAT IS SUBJECT TO THIS  
14 ARTICLE, PERSONALLY, THROUGH THE MEDIA OR OTHER FORM OF PUBLIC BROADCAST  
15 COMMUNICATION OR THROUGH TECHNOLOGICAL MEANS IF:

16 1. THE OPINION OR DISCUSSION IS NOT PRINCIPALLY DIRECTED AT OR  
17 DIRECTLY GIVEN TO ANOTHER MEMBER OF THE PUBLIC BODY.

18 2. THERE IS NO CONCERTED PLAN TO ENGAGE IN COLLECTIVE DELIBERATION TO  
19 TAKE LEGAL ACTION.

~~APPROVED BY THE GOVERNOR APRIL 29, 2008.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 29, 2008.~~

Passed the House February 18, 20 08

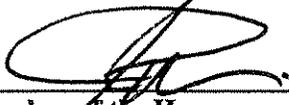
Passed the Senate April 23, 20 08

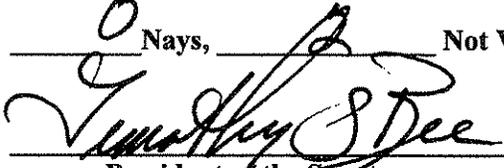
by the following vote: 54 Ayes,

by the following vote: 28 Ayes,

0 Nays, 6 Not Voting

0 Nays, 2 Not Voting

  
\_\_\_\_\_  
Speaker of the House

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Chief Clerk of the House

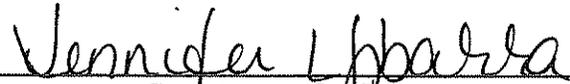
  
\_\_\_\_\_  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

24th day of April, 2008

at 1:00 o'clock P. M.

  
\_\_\_\_\_  
Secretary to the Governor

Approved this 29 day of

April 2008

at 1:50 o'clock P. M.

  
\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 29 day of April, 2008

H.B. 2410

at 4:00 o'clock P. M.

  
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Secretary of State