

### **61.810 Exceptions to open meetings.**

- (1) All meetings of a quorum of the members of any public agency at which any public business is discussed or at which any action is taken by the agency, shall be public meetings, open to the public at all times, except for the following:
  - (a) Deliberations for decisions of the Kentucky Parole Board;
  - (b) Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency;
  - (c) Discussions of proposed or pending litigation against or on behalf of the public agency;
  - (d) Grand and petit jury sessions;
  - (e) Collective bargaining negotiations between public employers and their employees or their representatives;
  - (f) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's, or student's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret;
  - (g) Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion, or upgrading of the business;
  - (h) State and local cabinet meetings and executive cabinet meetings;
  - (i) Committees of the General Assembly other than standing committees;
  - (j) Deliberations of judicial or quasi-judicial bodies regarding individual adjudications or appointments, at which neither the person involved, his representatives, nor any other individual not a member of the agency's governing body or staff is present, but not including any meetings of planning commissions, zoning commissions, or boards of adjustment;
  - (k) Meetings which federal or state law specifically require to be conducted in privacy;
  - (l) Meetings which the Constitution provides shall be held in secret; and
  - (m) That portion of a meeting devoted to a discussion of a specific public record exempted from disclosure under KRS 61.878(1)(m). However, that portion of any public agency meeting shall not be closed to a member of the Kentucky General Assembly.
- (2) Any series of less than quorum meetings, where the members attending one (1) or more of the meetings collectively constitute at least a quorum of the members of the public agency and where the meetings are held for the purpose of avoiding the requirements of subsection (1) of this section, shall be subject to the requirements of subsection (1) of this section. Nothing in this subsection shall be construed to prohibit discussions between individual members where the purpose of the

discussions is to educate the members on specific issues.

**Effective:** March 16, 2005

**History:** Amended 2005 Ky. Acts ch. 93, sec. 1, effective March 16, 2005. -- Amended 1992 Ky. Acts ch. 162, sec. 3, effective July 14, 1992. -- Created 1974 Ky. Acts ch. 377, sec. 2.

**Legislative Research Commission Note (3/16/2005).** The Office of the Kentucky Attorney General requested that amendments in 2005 Ky. Acts ch. 93, sec. 1, to the arrangement of the paragraphs of subsection (1) of this section be changed. The change was requested "in the interest of preventing confusion to the public and public agencies" and was made by the Statute Reviser under the authority of KRS 7.136.