



SPONSOR: Rep. K. Williams & Sen. Townsend
Reps. Baumbach, Keeley, Kowalko, Osienski; Sens.
Peterson, Sokola

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE BILL NO. 320

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 10004, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 10004. Open meetings.

4 (f) Each public body shall maintain minutes of all meetings, including executive sessions, conducted pursuant to
5 this section, and shall make such minutes available for public inspection and copying as a public record. Such minutes shall
6 include a record of those members present and a record, by individual members (except where the public body is a town
7 assembly where all citizens are entitled to vote), of each vote taken and action agreed upon. Such minutes or portions
8 thereof, and any public records pertaining to executive sessions conducted pursuant to this section, may be withheld from
9 public disclosure so long as public disclosure would defeat the lawful purpose for the executive session, but no longer. All
10 public bodies in the executive branch of state government that are subject to the provisions of this chapter and meet four or
11 less times per year shall electronically post draft minutes of open public meetings, approved by the Chair or equivalent
12 executive officer of the public body, to the designated State of Delaware website approved by the Secretary of State within
13 10 working days after the conclusion of the meeting. All public bodies in the executive branch of state government that are
14 subject to the provisions of this chapter shall electronically post final approved minutes of open public meetings to the
15 designated State of Delaware website approved by the Secretary of State within 5 working days of final approval of said
16 minutes.

SYNOPSIS

This bill increases the opportunity for citizens to observe the performance of public officials and to monitor the decisions that are made by such officials by making minutes of infrequently meeting public bodies in the executive branch available in draft form within 10 days after the conclusion of the meeting.