

? Ask Evan

Q • We have heard that there are some new requirements for giving meeting notices. Can you describe what those requirements are?

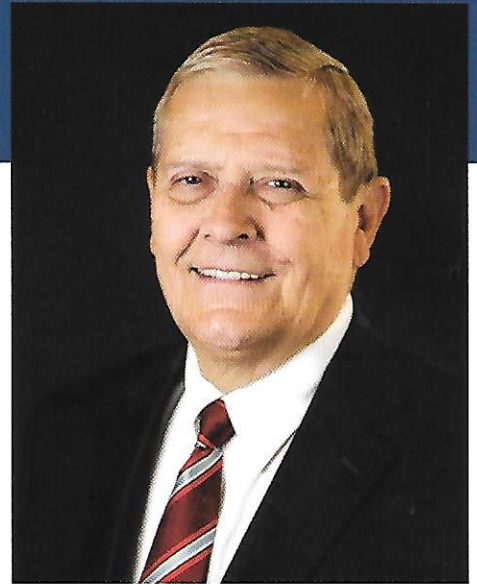
A • What you have heard is a result of new statutory requirements included in House Bill 19-1087, which will be effective on August 2, 2019. That bill, as it was initially introduced, would have required that all local governments post their meeting notices on their websites in addition to the posting requirements that already existed, i.e., physically posting notice in three public places within the district 72 hours prior to the meeting, and physically posting notice, including an agenda, 24 hours prior to the meeting, in the location adopted by the Board each year. SDA, along with the Colorado Municipal League, worked with the bill sponsors and other legislators to amend the bill so that local governments that post meeting notices on their websites no longer need to comply with the 72-hour physical posting, nor the 24-hour physical postings as they have existed for a number of years.

The actual language of House Bill 19-1087 is quoted below:

» On or after August 2, 2019, a district shall be deemed to have given full and timely notice of a public meeting if the district posts the notice, with specific agenda information if available, no less than 24 hours prior to holding the meeting on a public website of the district.

- » The notice must be accessible at no charge to the public. The district shall, to the extent feasible, make the notices searchable by type of meeting, date and time of meeting, agenda contents, and any other category deemed appropriate by the district, and consider linking the notices to any appropriate social media accounts of the district.
- » A district that provides notice on a website shall provide the address of the website to the Department of Local Affairs.
- » A district that posts notices on a public website may in its discretion also post a notice by any other means, but is not required to do so. If a district is unable to post a notice on a public website pursuant to this section, the district shall post its meeting notices in compliance with existing requirements. *House Bill 19-1087; §24-6-402(2)(c)(III), C.R.S.*

Districts that either do not have a suitable website or are otherwise unable to post meeting notices on their website must still follow the existing procedure for physically posting meeting notices 24 hours prior to the meeting in a public place designated each year by the Board for such postings.



Evan Goulding, Consultant and former SDA Executive Director.

Districts that do not currently have public websites should check with Colorado SIPA, which can frequently provide a website and guidance in its use to local governments, in most cases without cost to the district.

Districts should also be cognizant of the provision of House Bill 19-1087 that states the Legislative intent in adopting the bill. Paragraph 2(c)(2)(E) summarizes that intent as follows:

“(E) It is the intent of the General Assembly to closely monitor the transition to providing notices of public meetings online over the next two years and, if significant progress is not made, to bring legislation mandating in statute that all notices be posted online except in very narrow circumstances that are beyond the control of a local government.”

In other words, the Legislature wants all local governments to be posting notices online within two years. ▶



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