

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Open Meetings Act to clarify the definition of “meeting”; to provide for a public body’s ability to be briefed about potential terrorist or public health threats so long as no official action is taken; to exempt from the act meetings between the Council and the Mayor provided that no official action is taken at such meetings; and to provide that a meeting shall be deemed open to the public if the public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Open Meetings Clarification Emergency Amendment Act of 2025”.

Sec. 2. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), is amended as follows:

(a)(1) Section 404(1) (D.C. Official Code § 2-574(1)) is amended to read as follows:
“(1)(A) “Meeting” means any gathering of a quorum of the members of a public body, including hearings and roundtables, whether formal or informal, regular, special, or emergency, at which the members consider, conduct, or advise on public business, including gathering information, taking testimony, discussing, deliberating, recommending, and voting, regardless whether held in person, by telephone, electronically, or by other means of communication.

35 “(B) The term “meeting” shall not include:

36 “(i) A chance or social gathering; provided, that it is not held to avoid the

37 provisions of this paragraph;

38 “(ii) A press conference;

39 “(iii) Field trips, site visits, or similar activities to gather information; or

40 “(iv) A retreat of the public body where there are discussions and briefings (but

41 no action is taken) about policy, issues or organizational matters.

42 “(C) For the purposes of the Council of the District of Columbia, the term

43 “meeting” means a regular or additional legislative meeting, and committee meetings where

44 votes are taken.”

45 (2) Section 404(3) is amended as follows:

46 (A) Paragraph (E) is amended by striking the word “or” at the end of the
47 phrase;

48 (B) Paragraph (F) is amended by striking the period at the end, and
49 inserting the phrase “; or” in its place.

50 (C) A new subparagraph (G) is added to read as follows:

51 “(G) the Criminal Justice Coordinating Council.”

52 (b) Section 405 (D.C. Official Code § 2-575) is amended as follows:

53 (1) Subsection (a) is amended as follows:

54 (A) Paragraph (2) is amended by striking “or” at the end of the paragraph.

55 (B) Paragraph (3) is amended by striking the phrase “televised.” and inserting
56 the phrase “televised; or” in its place.

57 (C) A new paragraph (4) is added to read as follows:

58 “(4) The public body takes steps reasonably calculated to allow the public to view
59 or hear the meeting while the meeting is taking place, or, if doing so is not technologically
60 feasible, as soon thereafter as reasonably practicable.”.

61 (2) Subsection (b) is amended as follows:

62 (A) Paragraph (8) is amended to read as follows:

63 “(8) To discuss and take action regarding specific methods and procedures to
64 protect the public or a public body from existing or potential terrorist activity or other substantial
65 dangers to public health and safety, or to receive briefings by staff members, legal counsel, law
66 enforcement officials, or emergency service officials concerning these methods and procedures;
67 provided, that disclosure could endanger the public or the public body;”

68 (B) Strike the phrase “; and” in paragraph (15) and insert “;” in its place.

69 (C) Strike the period at the end of paragraph (16)(B) and insert the phrase
70 “; and” in its place.

71 (D) A new paragraph (17) is added to read as follows:

72 “(b)(17) To be briefed about confidential negotiations, provided that no official action is
73 taken.”

74 (3) Subsection (f) is amended to read as follows:

75 “(f) Notwithstanding any provision of this act, the Council may adopt its own rules to
76 ensure the District’s open meetings policy, as established in section 402, is met with respect to
77 gatherings of councilmembers; provided that unless the Council adopts rules pursuant to this
78 subsection, this title shall apply to the Council.”

79 (4) A new subsection (h) is added to read as follows:

80 “(h) This act shall not apply to a meeting between members of the Council and the
81 Mayor, provided that no official action is decided at the meeting.”

82 (c) Section 406 (D.C. Official Code § 2-576) is amended as follows:

83 (1) Paragraph (1) is amended by striking the phrase "Except for emergency
84 meetings," at the beginning of the second sentence, and inserting the phrase "attempt to" after
85 the word “shall” in the second sentence.

86 (2) Paragraph (3) is amended by striking the phrase "Notwithstanding the notice
87 requirement of paragraph (2) of this subsection, except", and inserting the phrase “Except” in its
88 place.

89 (3) Paragraph (4) is amended by inserting the phrase "and notwithstanding
90 paragraphs (1) and (3) of this subsection," after the word “matter,”.

91 (d) Section 407(a) (D.C. Official Code § 2-577(a)) is amended as follows:

92 (1) Paragraph (1) is amended to read as follows:

93 “(1) Reasonable arrangements are made to accommodate the public’s right to
94 attend the meeting, or steps are taken that are reasonably calculated to allow the public to view or
95 hear the meeting while the meeting is taking place, or if doing so is not technologically feasible,
96 as soon thereafter as reasonably practicable;”

97 (2) Paragraph (3) is amended by striking the phrase "taken by roll call" and
98 inserting the word “recorded” in its place.

99 (e) Section 409(a) (D.C. Official Code § 2-579(a)) is amended by striking the phrase
100 “Council meetings.” and inserting the phrase "meetings and gatherings of councilmembers.” in
101 its place.

102 Sec. 3. Section 303(b) of the Migrant Services and Supports Extension Temporary
103 Amendment Act of 2024, effective September 18, 2024 (D.C. Law 25-215; 71 DCR 11539), is
104 amended by striking the number “225” and inserting the number “450” in its place.

105 Sec. 4. Fiscal impact statement.

106 The Council adopts the fiscal impact statement in the committee report as the fiscal
107 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
108 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

109 Sec. 5. Effective date.

110 This act shall take effect following approval of the Mayor (or in the event of veto by the
111 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
112 90 days, as provided for emergency acts of the Council of the District of Columbia in section
113 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
114 D.C. Official Code § 1-204.12(a)).