

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

S

2

SENATE BILL 67
Corrected Copy 2/28/11

Short Title: Sunshine Amendment. (Public)

Sponsors: Senators Clary, Tucker, Goolsby; Apodaca, Bingham, Blake, Brock, Brown, Brunstetter, East, Forrester, Gunn, Harrington, Hartsell, Hise, Hunt, Jackson, Meredith, Newton, Rouzer, Rucho, Stevens, and Tillman.

Referred to: Judiciary I.

February 16, 2011

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE
NORTH CAROLINA CONSTITUTION.

The General Assembly of North Carolina enacts:

SECTION 1. Article XIV of the North Carolina Constitution is amended by adding a new section to read:

"Sec. 6. Access to public records and meetings.

(1) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the State, or persons acting on their behalf, except with respect to records exempted pursuant to this section. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, governmental subdivisions, units of local government and special districts; and every officer, board, and commission, or entity created pursuant to law or this Constitution.

(2) All meetings of any collegial public body of the executive branch of State government or of any collegial public body of a county, municipality, governmental subdivision, unit of local government, or special districts at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of either house of the General Assembly shall be open and public notice given as provided by law, except with respect to meetings exempted pursuant to this Section.

(3) This Section is self-executing. The General Assembly, however, may provide by general law passed by a two-thirds vote of the members present and voting of each house for the exemption of records from the requirements of subsection (1) of this Section and the exemption of meetings from the requirements of subsection (2) of this Section, provided that such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law. The General Assembly shall enact laws governing the enforcement of this Section, including the maintenance, control, destruction, disposal, and disposition of records made public by this Section, except that each house of the General Assembly may adopt rules governing the enforcement of this Section in relation to records of that house. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsection (1) or (2) of this Section and provisions governing the enforcement of this Section and shall relate to one subject.



