

No. 1993-20

## AN ACT

HB 65

Amending the act of July 3, 1986 (P.L.388, No.84), entitled "An act requiring public agencies to hold certain meetings and hearings open to the public; and providing penalties," providing for public comment.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act, is amended by adding a section to read:

**Section 10.1. Public participation.**

*(a) General rule.—Except as provided in subsection (d), the board or council of a political subdivision or of an authority created by a political subdivision shall provide a reasonable opportunity at each advertised regular meeting and advertised special meeting for residents of the political subdivision or of the authority created by a political subdivision or for taxpayers of the political subdivision or of the authority created by a political subdivision or for both to comment on matters of concern, official action or deliberation which are or may be before the board or council. If the board or council determines that there is not sufficient time at a meeting for residents of the political subdivision or of the authority created by a political subdivision or for taxpayers of the political subdivision or for both to comment, the board or council may defer the comment period to the next regular meeting or to a special meeting occurring in advance of the next regular meeting.*

*(b) Limitation on judicial relief.—If a board or council of a political subdivision or an authority created by a political subdivision has complied with the provisions of subsection (a), the judicial relief under section 13 shall not be available on a specific action solely on the basis of lack of comment on that action.*

*(c) Objection.—Any person has the right to raise an objection at any time to a perceived violation of this act at any meeting of a board or council of a political subdivision or an authority created by a political subdivision.*

*(d) Exception.—The board or council of a political subdivision or of an authority created by a political subdivision which had, before January 1, 1993, established a practice or policy of holding special meetings solely for the purpose of public comment in advance of advertised regular meetings shall be exempt from the provisions of subsection (a).*

Section 2. This act shall take effect in 60 days.

APPROVED—The 15th day of June, A.D. 1993.

MARK S. SINGEL  
ACTING GOVERNOR