

Sunshine law bill needs calls to your legislators

Fine could follow any violation

By the time you read this, the Missouri legislature will be back for the second half of this year's regular session. There's little time for the sunshine law bill which the Press Association is watching to move through the legislative process.

We worked with Rep. Tim Jones to create House Bill 316, which contains a number of significant changes to Missouri's sunshine law. Probably the most prominent of those changes is the language in Section 610.027 creating liability for violating the sunshine law, and allowing the court to impose a fine without there needing to be proof that the defendants knew they were violating the law or doing it purposefully.

In order to make that change in the law, the proposed fine for such violations is reduced to a range from zero to \$100. In short, it makes violating the sunshine law more like getting a speeding ticket (although, from recent personal experience, I have to tell you the fine for speed is greater!). But it does call attention to the fact that this is a law of the state that needs to be taken seriously by public bodies.

It also increases the fine for purposeful violations to a **maximum** of \$8,000 from the former figure of \$5,000.

It shouldn't surprise you that this law is generating some concern among those who work for public governmental bodies. The Missouri Municipal League, in an email to its members shortly after the bill had its first hearing before the House General Laws Committee, had this to say: The "strict liability" with potential civil penalty for "any" technical violation will be a major problem for

new members of the governing body or for a new city clerk. Please urge your state representative to oppose the "strict liability" provision in H.B. 316. Also, please send a copy of your correspondence to Rep. Mike Parsons, Chairman of the Rules Committee. If he receives many negative comments, he may delay the bill."

About the same time, we sent word out to our members asking that they contact their representatives to discuss this bill. I know some of you did – I received copies of some of that correspondence. But if you haven't taken time to do that yet, please do so, as soon as possible. Especially if your representative is Rep. Mike Parsons. The bill is stalled in his House Rules

Committee.

It needs to get through that process, and then get to the House floor, which will require Speaker of the House Ron Richard to give it floor time. A call to him would be greatly appreciated, too.



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And your editorial support always helps, too. We need to get this bill moving if it is to make it through the legislature before the session ends in eight weeks.

In addition to the change I've talked about, the bill contains other changes, including providing access to allegations made to the Missouri Ethics Commission about candidates in campaigns and a provision requiring public bodies to use data-processing programs allowing for copying of records in a format the public can use.

On another note, I hope you'll take advantage of the podcasts that will be available shortly on the Missouri Press Association's website. The first one that will be posted deals with frequent advertising questions to the hotline.

I talked about the questions that I am asked over and over again. I encourage you to download this and save it on your own computer system for your advertising staff, because with frequent changeovers, this is information your employees need as part of their basic training.

The second podcast won't be up until late April, but it will focus on the Missouri court system and features an interview with Beth Riggert, communications counsel for the Missouri Supreme Court. We solicited your questions, and then Beth and I had a discussion about how the court system works. She took the opportunity to answer many of the questions you raised.

I hope you'll enjoy these new training efforts from MPA, and I welcome any ideas you have for future programs!

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