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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 2026”.

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) Section 404 (D.C. Official Code § 2-574) is amended as follows:

(1) Paragraph (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.

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

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

37 “(ii) A press conference.

38 “(C) For the purposes of the Council of the District of Columbia, the term
39 “meeting” means a regular or additional legislative meeting, and committee meetings where
40 votes are taken.”

41 (2) Paragraph (3) is amended as follows:

42 (A) Subparagraph (E) is amended by striking the phrase “: or” and
43 inserting a semicolon in its place;

44 (B) Subparagraph (F) is amended by striking the period at the end and
45 inserting the phrase “; or” in its place.

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

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

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

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

50 (A) Paragraph (2) is amended by striking the phrase “; or” and inserting a
51 semicolon in its place.

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

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

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

58 (2) Subsection (b)(8) is amended to read as follows:

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

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

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

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

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

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

73 (1) Paragraph (1) is amended by striking the phrase "Except for emergency
74 meetings, a public body shall provide” and inserting the phrase “A public body shall attempt to
75 provide” in its place.

76 (2) Paragraph (3) is amended by striking the phrase "Notwithstanding the notice
77 requirement of paragraph (2) of this subsection, except", and inserting the phrase "Except" in its
78 place.

79 (3) Paragraph (4) is amended by striking the phrase "urgent matter," and inserting
80 the phrase "urgent matter, and notwithstanding paragraphs (1) and (3) of this subsection," in its
81 place.

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

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

84 "(1) Reasonable arrangements are made to accommodate the public's right to
85 attend the meeting, or steps are taken that are reasonably calculated to allow the public to view or
86 hear the meeting while the meeting is taking place, or if doing so is not technologically feasible,
87 as soon thereafter as reasonably practicable;"

88 (2) Paragraph (3) is amended by striking the phrase "taken by roll call" and
89 inserting the word "recorded" in its place.

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

93 Sec. 3. Applicability.

94 This act shall be applicable as of March 29, 2026.

95 Sec. 4. Fiscal impact statement.

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

99 Sec. 5. Effective date.

100 This act shall take effect following approval of the Mayor (or in the event of veto by the
101 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
102 90 days, as provided for emergency acts of the Council of the District of Columbia in section
103 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
104 D.C. Official Code § 1-204.12(a)).

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