

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-170
HOUSE BILL 635**

AN ACT TO REQUIRE AT LEAST ONE PUBLIC COMMENT PERIOD PER MONTH AT A REGULAR MEETING OF A LOCAL BOARD OF EDUCATION, COUNTY BOARD OF COMMISSIONERS, OR MUNICIPAL GOVERNING BOARD.

The General Assembly of North Carolina enacts:

SECTION 1. Article 5 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-51. Public comment period during regular meetings.

The local board of education shall provide at least one period for public comment per month at a regular meeting of the board. The board may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The board is not required to provide a public comment period under this section if no regular meeting is held during the month."

SECTION 2. Part 3 of Article 4 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-52.1. Public comment period during regular meetings.

The board of commissioners shall provide at least one period for public comment per month at a regular meeting of the board. The board may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The board is not required to provide a public comment period under this section if no regular meeting is held during the month."

SECTION 3. Part 3 of Article 5 of Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-81.1. Public comment period during regular meetings.

The council shall provide at least one period for public comment per month at a regular meeting of the council. The council may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council is not required to provide a public comment period under this section if no regular meeting is held during the month."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2005.

s/ Charlie S. Dannelly
Deputy President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

This bill having been presented to the Governor for his signature on the 30th day of June, 2005 and the Governor having failed to approve it within the time prescribed by law, the same is hereby declared to have become a law.

This 11th day of July, 2005

s/ Kevin Hall
Enrolling Clerk