

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE DRS35164-RU-20 (03/04)

Short Title: Clarify Public Records Laws.

(Public)

Sponsors: Senator Berger of Rockingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE PUBLIC RECORDS LAWS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-318.10(e) reads as rewritten:

"(e) Every public body shall keep full and accurate minutes of all official meetings, including any closed sessions held pursuant to G.S. 143-318.11. Such minutes may be in written form or, at the option of the public body, may be in the form of sound or video and sound recordings. When a public body meets in closed session, it shall keep a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired. Such accounts may be a written narrative, or video or audio recordings. Such minutes and accounts shall be public records within the meaning of the Public Records Law, G.S. 132-1 et seq.; provided, however, that minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session. Notes taken during a closed session, including handwritten notes or other forms of notation including notes made in an electronic format, from which minutes or accounts of a closed session are produced shall be public records within the meaning of G.S. 132-1, et seq., and may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session."

SECTION 2. G.S. 132-1.4 is amended by adding a new subsection to read:

"(m) Cellular telephone numbers and pager telephone numbers for cellular telephones and pagers provided by law enforcement agencies to sworn law enforcement officers for use in the scope and course of their employment as law enforcement officers are not public records as defined by G.S. 132-1."

SECTION 3. This act is effective when it becomes law.