

STATE OF KANSAS

## Office of the Attorney General

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Curt T. Schneider  
Attorney General

October 17, 1977

ATTORNEY GENERAL OPINION NO. 77-337

Mr. Tom Fiegel  
Ness County Attorney  
109 West Main Street  
Ness City, Kansas 67560

Re: Cities--Open Meetings--Notice

Synopsis: Any person who requests notice of the date, time and place of regular meetings of a governing body, the regular meetings of which are held on a designated date, e.g., the first Tuesday of each month, and at a fixed time and place, is entitled to be furnished a single notice of such information, and need not be furnished individual notice prior to each regular meeting. However, if a copy of the agenda of each regular meeting is requested, any agenda which is prepared for such meetings must be furnished to the requesting party a reasonable time prior to each such regular meeting.

\* \* \*

Dear Mr. Fiegel:

As you indicate, K.S.A. 1976 Supp. 75-4318, of the Kansas open meeting law, was amended by ch. 301, § 2, L. 1977, to provide in pertinent part thus:

"(b) Notice of the date, time and place of any regular or special meeting of any public body designated hereinabove shall be furnished to any person requesting such information. If such notice is furnished to an executive officer of an employees' organization or trade

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association, such notice shall be deemed to have been furnished to the entire membership of such organization or association. It shall be the duty of the presiding officer or other person calling the meeting, if the meeting is not called by the presiding officer, to furnish the information required by this subsection."

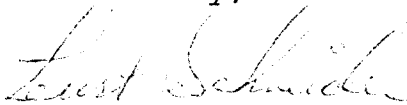
In addition, subsection (c), not amended during the recent legislative session, continues to require that "[p]rior to any meeting hereinabove mentioned, any agenda relating to the business to be transacted at such meeting shall be made available to any person requesting said agenda."

You advise that a petition has been presented to the city council requesting notice of all special meetings of the Ness City city council. Its regular meetings are held on the first Tuesday of each month. You ask whether each person who requests notice pursuant to the quoted section above is entitled to notice of each regular meeting as well as of each special meeting. The purpose of this provision is apparently to provide interested members of the public with sufficient information to permit them to attend meetings which are required by law to be open to the public. If a citizen requests notice of the date, time and place of the regular meetings of a city council, for example, notice furnished by the mayor or other presiding officer thereof that the council holds its regular meetings on a fixed date, e.g., the first Tuesday of each month, at a designated time and place, complies with the requirements of this provision, in my judgment. Such a notice conveys to the individual member of the public all the information to which he or she is entitled, and is sufficient to advise the recipient of all information regarding regular meetings which is necessary to permit him or her to plan to attend or not to attend such meetings. Thus, in my judgment, if a standing request for notice of regular meetings is submitted, a single notification that the council meets regularly on a fixed date, and at a fixed time and place, constitutes compliance with the act, and an individual notice need not be sent prior to each regular meeting. If, however, the individual requests not only notification of each regular meeting, but a copy of any agenda relating to the business to be transacted at such regular meetings, it is necessary that any agenda which is prepared be furnished to each such requesting person a reasonable time prior to each regular meeting.

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In addition, of course, any person who requests notification of special meetings must be furnished the required notice thereof prior to each special meeting, and if requested, any agenda which is prepared therefor must be furnished, likewise.

Yours truly,



CURT T. SCHNEIDER  
Attorney General

CTS:JRM:kj