



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

August 31, 1978

ATTORNEY GENERAL OPINION NO. 78-281

Mr. Michael J. Malone
District Attorney
Judicial & Law Enforcement Center
Lawrence, Kansas 66044

Re: Open Meetings Law--Agenda--Requirements

Synopsis: The open meeting law does not require that an agenda be prepared of the business to be transacted at any meeting which is subject to the act. It does require that if an agenda is prepared, it must be made available to persons requesting it.

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Dear Mr. Malone:

You inquire concerning the Kansas open meeting law, K.S.A. 75-4317 et seq., and specifically that portion thereof which specifies 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 such agenda."

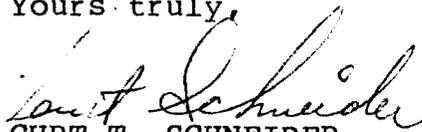
You advise that in Douglas County, all administrative work in relation to organizing and scheduling meetings of the board of county commissioners are handled by the commissioners, with the aid of a secretary/receptionist. The secretary keeps an appointment calendar which lists persons who have requested to be heard and, occasionally, the subject matter to be discussed. However, the calendar is frequently altered even after the meeting has begun as the commission adjusts its schedule to accommodate the widely varying business before it.

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You ask if the commission is required to keep an "agenda" describing the business to be conducted in meetings subject to the open meeting law. That act does not require that an agenda be maintained, but only that "any agenda relating to the business to be transacted at such meeting", which the board does have shall be made available. If no agenda is prepared, none need be furnished. If, as here, an appointment calendar is maintained, and serves in fact as an agenda if only in an informal sense, that calendar constitutes the "agenda" referred to in the act, and must be made available to those persons requesting it. The act does not, as stated, require that an agenda be maintained, nor does it specify any particular form for one. Any document which serves functionally as an agenda and lists matters or persons to be heard, may be deemed to be an agenda under the act, but again, the act does not require that any agenda or document analogous to it be maintained.

To recapitulate, the act does not require that an agenda be kept, but it does require that if one is kept, or any document prepared which is utilized, however informally, as an agenda, it must be made available to the public. If none is prepared for any particular meeting, or for any particular day of the week during which the commissioners are in the courthouse on county business, none need be furnished under the act.

Yours truly,


CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj