

Answers to Questions on CSSB 15 from Judiciary Committee Members on 3.22.21

In Colorado and Idaho, as opposed to Alaska, actions taken in violation of open meeting requirements are automatically voided. In Alaska, such actions are “voidable,” to be determined by the court, after the determination that those actions were, in fact, in violation of the law. This means that actions taken in violation of the Open Meetings Act in Alaska, as proven in court, may still stand despite the illegality of the meeting in which they were taken.

AS 44.62.310(d) specifies that the Open Meetings Act does not apply to “a governmental body performing a judicial or quasi-judicial function when holding a meeting solely to make a decision in an adjudicatory proceeding.” This means that appointed municipal officers acting as judicial officials would not be subject to the Open Meetings Act or CSSB 15.