Executive Department
State of Idaho

# The Office of the Governor
# Proclamation

State Capital
Boise

*WHEREAS, I issued a proclamation on March 13, 2020, declaring a state of emergency in the State of Idaho due to the occurrence and imminent threat to public health and safety arising from the effects of the 2019 novel coronavirus (COVID-19); and*

*WHEREAS, that Proclamation remains in effect today; and*

*WHEREAS, government agencies and boards need to continue to operate, make decisions, and ensure the continuity of services to the people of Idaho during the declared emergency; and*

*WHEREAS, federal, state, and local public health authorities have recommended limited interaction with others at this time and that social interactions should be limited to ten (10) people in order to reduce the spread of the 2019 novel coronavirus (COVID-19); and*

*WHEREAS, the Idaho Open Meetings Act, Chapter 2, Title 74, Idaho Code, sets out important requirements to ensure that the public business is not conducted in secret. Those requirements remain important during a time of emergency such as this.*

*NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by Section 46-1008 of the Idaho Code and by the Constitution of the State of Idaho do hereby find and therefore proclaim and declare:*

1. *The Proclamation I issued on March 13, 2020 is hereby amended to incorporate this Proclamation.*

2. *The requirements of the following portion of section 74-203(5), Idaho Code, are suspended during the term of the emergency declared in the Proclamation dated March 13, 2020, including during any extensions of the declared emergency.*

   *provided, however, that at least one (1) member of the governing body, or the director of the public agency, or the chief administrative officer of the public agency shall be physically present at the location designated in the meeting notice, as required under section 74-204, Idaho Code, to ensure that the public may attend such meeting in person.*

3. *The suspension of this requirement is necessary to permit governing bodies of public agencies to continue to conduct the public's business during this emergency, while also ensuring the public's business is not conducted in secret.*

4. *The suspension of section 74-203(5), Idaho Code, applies only to the requirement of allowing the public to attend a meeting in person. All governing bodies of public agencies continue to be subject to the Open Meeting Law's requirements to allow public attendance using telecommunication devices at meetings subject to the Open Meeting Act.*

5. *All other requirements of the Open Meeting Act remain intact and are not impacted by this action. Public agencies must continue to comply with all other requirements of the Open Meeting Act, including but not limited to requirements for providing notice and publishing the agenda.*

6. *Public agencies are encouraged, but not required, to take steps to enhance public attendance and participation in meetings via telecommunication devices during this unique and challenging time. For example, public agencies should consider publishing on its website and in advance of the meeting the materials to be discussed at the meeting, and giving the public an opportunity to sign up to testify telephonically.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 18th day of March in the year of our Lord two thousand and twenty and of the Independence of the United States of America the two hundred forty-fourth and of the Statehood of Idaho the one hundred thirtieth.*

*BRAD LITTLE*
*GOVERNOR*

*LAWERENCE DENNEY*
*SECRETARY OF STATE*