



Rep. Kambium Buckner

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10200HB1765ham002

LRB102 03912 RLC 25665 a

1 AMENDMENT TO HOUSE BILL 1765

2 AMENDMENT NO. _____. Amend House Bill 1765 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Empowering Public Participation Act.

6 Section 5. Definitions. As used in this Act:

7 "Background check" means a criminal history check using
8 the Law Enforcement Agencies Data System (LEADS).

9 "Law enforcement agency" means an agency of the State or
10 of a unit of local government charged with enforcement of
11 State, county, or municipal laws or with managing custody of
12 detained persons in the State.

13 "Open meeting" has the meaning provided in Section 2 of
14 the Open Meetings Act.

15 "Public body" has the meaning provided in Section 1.02 of
16 the Open Meetings Act, and also includes police disciplinary

1 boards.

2 Section 10. Background checks on speakers prohibited.

3 (a) A law enforcement agency or an officer employed by a
4 law enforcement agency may not knowingly and intentionally
5 conduct a background check of a person for the sole reason of
6 that person speaking at an open meeting of a public body,
7 including police disciplinary boards.

8 (b) Subsection (a) does not apply whenever an agency or
9 officer develops a reasonable suspicion of criminal conduct or
10 a reasonable suspicion of a threat to security for the
11 premises in which the meeting is to occur or for the protection
12 of public officials and other persons attending the meeting.

13 Section 15. Penalty. A violation of subsection (a) of
14 Section 10 is a Class C misdemeanor.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."