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State of Louisiana

DEPARTMENT OF JUSTICE
CIVIL DIVISION
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February 24, 2021

OPINION 20-0103

90-B-4 PUBLIC MEETINGS - State & Local Governing Bodies

Mr. Michael "Mike" Mariana
Chairman
Plaquemines RPEC
112 Live Oak Dr., Suite A
Belle Chasse, LA 7007

La. R.S. 18:444
La. R.S. 42:11, *et seq.*
La. R.S. 42:14

The Republican Parish Executive Committee of Plaquemines Parish is not a public body for the purposes of the Open Meetings Law. The Plaquemines Parish Government is not required to provide a meeting place for the Republican Parish Executive Committee of Plaquemines Parish free of charge, except for the committee members' first meeting after the election, which must be held at the parish courthouse.

Dear Mr. Mariana:

You requested the opinion of this office concerning meetings of the Republican Parish Executive Committee of Plaquemines Parish (the "Executive Committee"). You first ask whether the Executive Committee is a public body subject to Louisiana's Open Meetings Law, La. R.S. 42:11, *et seq.* Second, you ask whether the Plaquemines Parish Government must provide the Executive Committee with a meeting place free of charge. For the reasons that follow, we answer both questions in the negative.

"Every meeting of any public body shall be open to the public unless closed pursuant to" specific statutory exceptions. La. R.S. 42:14(A). The Open Meetings Law defines "public body" as follows:

"Public body" means village, town, and city governing authorities; parish governing authorities; school boards and boards of levee and port commissioners; boards of publicly operated utilities; planning, zoning, and airport commissions; and any other state, parish, municipal, or special district boards, commissions, or authorities, and those of any political subdivision thereof, where such body possesses policy making, advisory, or administrative functions, including any committee or subcommittee of any of these bodies enumerated in this paragraph.

La. R.S. 42:13(A)(3).

This office has previously observed that parish executive committees are not public bodies for the purposes of the Open Meetings Law and not bound by the statutes' requirements. La. Atty. Gen. Op. No. 89-67. See *a/so* La. Atty. Gen. Op. No. 96-227 (explaining that members of a parish executive committee are not "public officers" under state law). We see no reason to depart from those prior opinions, which we attach for your reference. It is therefore the opinion of this office that the Executive Committee is not a public body for the purposes of the Open Meetings Law.

You next ask whether the law obligates the Plaquemines Parish Government to provide a cost-free meeting place for the Executive Committee. With regard to the first meeting of the members of a parish executive committee after an election, La. R.S. 18:444(C)(1) provides that the newly-elected members "shall meet at the parish courthouse." The statute is silent as to any required venue for subsequent meetings. As such, we have advised that "it is within the committee's power to adopt rules and regulations governing where the parish executive committee's subsequent meetings are to be held." La. Atty. Gen. Op. No. 04-0200.

Because La. R.S. 18:444(C)(1) requires the Executive Committee to hold its first post-election meeting at the Plaquemines Parish Courthouse, the courthouse should be provided to the Executive Committee free of charge. However, we were unable to locate any legal authority imposing a duty upon the Plaquemines Parish Government to provide the Executive Committee with a meeting place for subsequent meetings.¹ It is therefore the opinion of this office that the Plaquemines Parish Government is not required to provide a meeting place for the Executive Committee free of charge, except for the Executive Committee's first meeting after the election, which must be held at the parish courthouse.

We trust this adequately responds to your request. However, if our office can be of further assistance, please do not hesitate to contact us.

With best regards,

JEFF LANDRY
ATTORNEY GENERAL

BY: 
Alexander T. Reinboth
Assistant Attorney General

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¹ Indeed, we question whether such an arrangement would violate La. Const. art. VII, § 14(A). See, e.g., La. Atty. Gen. Op. No. 09-0315 (school board violates La. Const. art. VII, § 14(A) by permitting non-profit entity to use school facility free of charge).