

**JUNE 19, 2020**



**SIXTH UPDATED**

**OPEN PUBLIC MEETINGS ACT GENERAL GUIDANCE  
FROM THE OFFICE OF THE ATTORNEY GENERAL  
REGARDING THE CORONAVIRUS DISEASE (COVID-19) EVENT**

Some state and local agencies have been considering their options for how to conduct public meetings under the state’s Open Public Meetings Act (OPMA) at [RCW 42.30](#), during the outbreak of coronavirus disease 2019 (COVID-19) in Washington State. See also [Governor’s Proclamation 20-05](#) declaring a state of emergency in all counties and directing state resources to affected political subdivisions. More proclamations are on the Governor’s Office website [here](#) including the [“Stay Home, Stay Healthy” Proclamation 20-25](#) and its recent extensions ([Proclamations 20-25.1](#) and [20-25.2](#) and [20-25.3](#)) and the proclamation describing the transition from “Stay Home, Stay Healthy” to “Safe Start – Stay Healthy” phased re-opening in [Proclamation 20-25.4](#).

COVID-19 events and their impacts have continued to evolve over time, affecting OPMA in-person meeting requirements. As these events have developed, the Office of the Attorney General has issued and updated general OPMA nonbinding guidance under RCW 42.30.210, and is now doing so again. The office provided general guidance with considerations on how to conduct OPMA meetings during this COVID-19 event, describing [Governor’s Proclamation 20-28](#) (which temporarily waived/suspended some OPMA and Public Records Act (PRA) provisions) and legislative leadership and proclamation extensions at [20-28.1](#), [20-28.2](#), [20-28.3](#), and [20-28.4](#). The office provided those OPMA guidance documents on March 6, 2020; March 26, 2020 (First Update); April 24, 2020 (Second Update); May 6, 2020 (Third Update); May 14, 2020 (Fourth Update); and, June 1, 2020 (Fifth Update). See those guidance documents for details, posted on the office’s Open Government Training Webpage under [Lesson 3 – Open Public Meetings Act – Other Resources - Open Public Meetings Act Guidance – Coronavirus Disease \(COVID-19\)](#).

**This Sixth Update to Guidance – June 19, 2020.** On June 17, 2020, the state legislative leadership extended the OPMA and PRA temporary waivers/suspensions described in the prior guidance documents and proclamations, to **July 1, 2020**. On June 18, 2020 in [Proclamation 20-28.5 \(Open Public Meetings Act and Public Records Act\)](#), the Governor extended and amended Proclamations 20-28, 20-28.1, 20-28.2, 20-28.3 and 20-28.4 to reflect the June 17, 2020 legislative leadership action and to similarly extend the expiration date of the proclamation to **July 1, 2020**. As a result, the guidance is updated solely to reflect the new expiration date, which is **July 1, 2020**. The office’s prior guidance, including as most previously updated and revised on June 1, 2020,

remains the same. As previously described, this updated guidance is provided as a resource for the time the proclamation is in effect.

The guidance documents are not legal advice or a legal opinion. An agency should consult with its assigned legal counsel if it has questions or needs legal advice or a legal opinion. State agencies should consult with their assigned Assistant Attorney General.

As with the office's prior guidance documents, this sixth updated guidance document for agencies and their attorneys addresses only the OPMA, and as of the events on the date above. Other laws may apply to some meetings of some agencies. In addition, depending upon the agency and its governing statutes, or agency resources, other options might be available at a particular agency. This guidance provides information about the OPMA as of the date above. Later-enacted statutes, case law, or other legal developments may affect the analysis.

For more information about COVID-19, see this webpage of the Washington State Department of Health: <https://www.doh.wa.gov/Emergencies/Coronavirus>. Information about strategies to mitigate exposure is also available from many federal and local agencies.