

## Excerpts from CRS for Open Meetings

- In section (4), it lays out what types of topics shall be subject to executive sessions. Those topics include such things as security arrangements, personnel issues, negotiations on properties, etc. Section (4) does not mention anything about ballot initiatives or authorizing funding for polls.
- Section (4)(b) refers to conferences with attorneys for the purpose of receiving legal advice. Seeking the advice of an attorney on spending \$20,500 of taxpayer money on a poll, to determine how to get a TABOR override ballot initiative to pass is a political matter, not a legal matter.
- Section (II)(C) says, “If a court finds, upon application of a person seeking access to the record of the executive session of a state public body in accordance with section 24-72-204 (5.5) and after an in camera review of the record of the executive session, ***that the state public body engaged in substantial discussion of any matters not enumerated in subsection (3)*** of this section or that the body adopted a proposed policy, position, resolution, rule, regulation, or formal action in the executive session in contravention of paragraph (a) of subsection (3) of this section, the portion of the record of the executive session that reflects the substantial discussion of matters not enumerated in subsection (3) of this section or the adoption of a proposed policy, position, resolution, rule, regulation, or formal action ***shall be open to public inspection*** pursuant to section 24-72-204 (5.5).” (Emphasis is ours.)