

Nevada Open Meeting Law Manual

ANSWER: NRS 241.030(2) declares that a public body may close a meeting upon a motion which specifies the nature of the business to be considered. Of necessity, this statement of the nature of the business to be considered should be kept fairly general to ensure the confidentiality contemplated by the law. Sample motion: "I move we recess to executive session to consider the alleged misconduct of a school district employee." It is not necessary to name the person who is the subject of a closed meeting Nageotte v. Bd. of Supervisors, 288 S.E.2d 423 (Va. 1982).

At the same time, the Attorney General interprets this language to mean that a meeting may be closed only from an open meeting duly noticed in accordance with law, at which the requisite motion to close the meeting is made and approved.

QUESTION NO. 31: May a public body exclude a witness from a public meeting during the examination of another witness?

ANSWER: Nothing in the Open Meeting Law prevents the exclusion of witnesses from a public or private meeting during the examination of another witness. NRS 241.030(3)(c) specifically recognizes and validates the exclusionary rule for witnesses. This has long been the law in Nevada. See Nev. Op. Att'y Gen. No. 93 (Nov. 21, 1963).