

**The open meeting laws themselves contain no explicit notice requirements. The notice requirement as it pertains to open meetings is derived from Montana's public participation laws, and it attaches only when an issue is of significant public interest. See Montana Code Annotated § 2-3-103.**

**Notice of a meeting must be given sufficiently in advance of the meeting to permit the public to attend. Id.; Montana Code Annotated § 2-3-103. The amount of notice required "should increase with the relative significance of the decision to be made," with the ultimate goal of encouraging and assisting citizen participation. See 47 Op. Att'y Gen. No. 13 at 6 (1998). In the case of county commission meetings, the Attorney General has suggested that 48 hours advance notice should generally be considered "sufficient to notify the public of contemplated action." 47 Op. Att'y Gen. No. 13 at 6 (1998). However, each case will be considered based on its own unique facts, and depending on the circumstances less than 48 hours' notice may be adequate. See *Jones v. Missoula County*, 330 Mont. 205, 127 P.3d 406 (2006).**

**There is no statutory requirement to post notice of a regularly scheduled meeting 48 hours in advance. The standard is simply to provide notice that is adequate to ensure the public has the opportunity to participate in the decision-making process. See § 2-3-103(1), MCA.**