



STATE OF INDIANA

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July 21, 2026

Re: Complaint 25-FC-269
Nicole L. Kapuscinski (Complainant) v.
City of Anderson's Revolving Loan Fund Board (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed October 1, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 23, 2025, requesting a formal response by November 21, 2025. A formal response, submitted by City Attorney Paul Podlejski on behalf of Respondent, was received in this office on November 17, 2025.

The complaint alleges that Respondent violated the Open Door Law (ODL) by failing to live stream meetings of Respondent's meetings, specifically the meeting of October 1, 2025.

ANALYSIS

The ODL requires public agencies to conduct and take official actions openly, unless otherwise expressly provided by statute, so the people may be fully informed. Indiana Code (IC) 5-14-1.5-1. As a result, the ODL requires all meetings of the governing bodies of public agencies to be open at all times to allow members of the public to observe and record the proceedings. IC 5-14-1.5-3(a).

Respondent is a public agency and governing body for purposes of the ODL, and thus, is subject to the law's requirements. IC 5-14-1.5-2. As a result, unless an exception applies, all meetings of the Respondent must be open to the public at all times to allow the members of the public to observe and record.

Effective July 1, 2025, the General Assembly added IC 5-14-1.5-2.9 which requires live streaming of public meetings of certain governing bodies. Complainant alleges that Respondent violated ODL when it failed to live stream the meeting on October 1, 2025.

Respondent stated that it is not required to live stream its meetings under the statute, and therefore, did not violate the ODL.

IC 5-14-1.5-2.9(b) Live streaming applies to the following:

(b) This section applies only to the following:

(1) A governing body of a state agency.

(2) The following governing bodies of agencies that are not state agencies:

(A) The executive (as defined in IC 36-1-2-5), legislative body (as defined in IC 36-1-2-9), or fiscal body (IC 36-1-2-6) of a county, city, town, or township.

(B) A school board that has members who are elected.

(C) Any governing body that conducts the governing body's regular meetings in the same meeting room in which a governing body described in clause (A) or (B) conducts its regular meetings.

As Respondent stated in its formal response, Respondent does not fit the definition for those bodies [(1) state agency, (2)(A) executive, legislative or fiscal body or (2)(B) school board] required to live stream their meetings.

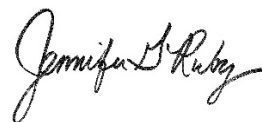
Respondent also stated that its meetings are not held in the same meeting space where live streaming takes place for governing bodies (2)(A) or (2)(B), so (2)(C) also does not apply. Therefore, Respondent is not required to live stream its meetings.

For additional information on IC 5-14-1.5-2.9, please see <https://www.in.gov/iot/files/Video-Streaming-of-Public-Meetings-Guidance.pdf> and https://www.in.gov/dA/738fb15bca/20250528-Code-Cites-for-Streaming-Guidance.pdf?language_id=1.

All other provisions of ODL shall continue to apply to Respondent. Therefore, Complainant still may review the agenda and request meeting minutes, if she cannot attend the meetings in person.

CONCLUSION

This office finds that Respondent did not violate the ODL as alleged in the complaint.



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