

ENROLLED HOUSE  
BILL NO. 1318

By: McCorkell of the House

and

Fisher of the Senate

An Act relating to teleconferences; amending 25 O.S. 1991, Sections 304 and 306, which relate to the Oklahoma Open Meeting Act; updating statutory references; modifying definition; defining term; authorizing certain public bodies to meet by teleconference; specifying certain restrictions concerning teleconferences; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 25 O.S. 1991, Section 304, is amended to read as follows:

Section 304. As used in ~~this act~~ the Oklahoma Open Meeting Act:

1. "Public body" means the governing bodies of all municipalities located within the State of Oklahoma, boards of county commissioners of the counties in the State of Oklahoma, boards of public and higher education in the State of Oklahoma and all boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces or study groups in the State of Oklahoma supported in whole or in part by public funds or entrusted with the expending of public funds, or administering public property, and shall include all committees or subcommittees of any public body. It shall not mean the state judiciary or the State Legislature or administrative staffs of public bodies, including, but not limited to, faculty meetings and athletic staff meetings of institutions of higher education when said staffs are not meeting with the public body, or entry-year assistance committees, as defined in Section 6-152 of Title 70 of the Oklahoma Statutes. Furthermore, it shall not mean the multidisciplinary team provided for in subsection B of Section ~~2 1-~~ 502.2 of Title 63 of the Oklahoma Statutes or any school board meeting for the sole purpose of considering recommendations of said multidisciplinary team and deciding the placement of any child who is the subject of such recommendations.

2. "Meeting" means the conducting of business of a public body by a majority of its members being personally together or, as authorized by Section 3 of this act, together pursuant to a teleconference.

3. "Regularly scheduled meeting" means a meeting at which the regular business of the public body is conducted.

4. "Special meeting" means any meeting of a public body other than a regularly scheduled meeting or emergency meeting.

5. "Emergency meeting" means any meeting called for the purpose of dealing with an emergency. For purposes of this act, an emergency is defined as a situation involving injury to persons or

injury and damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss.

6. "Continued or reconvened meeting" means a meeting which is assembled for the purpose of finishing business appearing on an agenda of a previous meeting. For the purposes of this act, only matters on the agenda of the previous meeting at which the announcement of the continuance is made may be discussed at a continued or reconvened meeting.

7. "Teleconference" means a conference among members of a public body remote from one another who are linked by interactive telecommunication devices permitting both visual and auditory communication between and among members of the public body and members of the public.

SECTION 2. AMENDATORY 25 O.S. 1991, Section 306, is amended to read as follows:

Section 306. No informal gatherings or any electronic or telephonic communications, except teleconferences as authorized by Section 3 of this act, among a majority of the members of a public body shall be used to decide any action or to take any vote on any matter.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 307.1 of Title 25, unless there is created a duplication in numbering, reads as follows:

A. No public body shall hold meetings by teleconference except:

1. Oklahoma Futures; and
2. The Oklahoma State Regents for Higher Education.

B. No public body authorized to hold meetings by teleconference shall conduct an executive session by teleconference.

SECTION 4. This act shall become effective September 1, 1993.

Passed the House of Representatives the 18th day of May, 1993.

Speaker of the House of  
Representatives

Passed the Senate the 25th day of May, 1993.

President of the Senate