

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1860

By: Blackwell

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Open Meeting Act; amending 25 O.S. 2001, Section 307.1, as last amended by Section 14, Chapter 5, O.S.L. 2004 (25 O.S. Supp. 2004, Section 307.1), which relates to teleconferences and videoconferences; expanding authorization for use of videoconferences; adding procedures for conducting videoconferences; and providing an effective date.

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

SECTION 1. AMENDATORY 25 O.S. 2001, Section 307.1, as last amended by Section 14, Chapter 5, O.S.L. 2004 (25 O.S. Supp. 2004, Section 307.1), is amended to read as follows:

Section 307.1 A. No public body shall hold meetings by teleconference except:

1. Oklahoma Futures;
2. The Oklahoma State Regents for Higher Education;
3. The State Board of Medical Licensure and Supervision;
4. The State Board of Osteopathic Examiners;
5. The Board of Dentistry;
6. The Variance and Appeals Boards created in Sections 1021.1, 1697 and 1850.16 and the Construction Industries Board created in Section 1000.2 of Title 59 of the Oklahoma Statutes;
7. A public trust whose beneficiary is a municipality; however, no more than twenty percent (20%) of a quorum of the trustees may participate by teleconference and during any such meetings all votes shall be roll call votes;

8. The Native American Cultural and Educational Authority;
9. The Corporation Commission;
10. The State Board of Career and Technology Education;
11. The Oklahoma Funeral Board; and
12. The District Attorneys Council.

B. ~~A board of education of a technology center school district~~ public body may hold meetings by videoconference where each ~~board~~ member of the public body is visible to each other and the public through a video monitor, subject to the following:

1. ~~No fewer less than three members of a five-member board or four members of a seven-member board~~ a quorum of the public body shall be present in person at the site of each meeting;

2. The ~~public meeting~~ notice ~~posted~~ and agenda prepared in advance of the meeting, as required by law, shall indicate ~~such~~ the meeting will ~~be conducted via videoconference~~ include videoconferencing locations and shall state:

- a. the location, address, and telephone number of each available videoconference site, and
- b. the identity of each member of the public body and the specific site from which each member of the body shall be physically present and participating in the meeting;

3. After the meeting notice and agenda are prepared and posted, as required by law, no member of the public body shall be allowed to participate in the meeting from any location other than the specific location posted on the agenda in advance of the meeting;

4. In order to allow the public the maximum opportunity to attend and observe each public official carrying out their duties, a member or members of a public body desiring to participate in a meeting by videoconference shall participate in the videoconference from a site and room from within the district or political

subdivision from which they are elected, appointed, or are sworn to represent;

5. Each site and room where ~~members~~ a member of the ~~board~~ public body is present for a meeting by videoconference shall be open and accessible to the public, and the public shall be allowed into ~~the~~ that site and room. Public bodies may provide additional videoconference sites as a convenience to the public, but additional sites shall not be used to exclude or discourage public attendance at any videoconference site; and

~~4.~~ 6. The public shall be allowed to participate ~~or have input~~ and speak, as allowed by rule or policy set by the public body, in a meeting at the videoconference site in the same manner and to the same extent as the public is allowed to participate or ~~have input in a meeting~~ speak at the site of the meeting;

7. Any materials shared electronically between members of the public body, before or during the videoconference, shall also be immediately available to the public in the same form and manner as shared with members of the public body; and

8. All votes occurring during any meeting conducted using videoconferencing shall occur and be recorded by roll call vote.

C. No public body authorized to hold meetings by teleconference or videoconference shall conduct an executive session by teleconference or videoconference.

SECTION 2. This act shall become effective November 1, 2005.

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