

ENROLLED HOUSE
BILL NO. 1860

By: Blackwell and Deutschendorf
of the House

and

Wilson and Laughlin of the
Senate

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; creating the Joint Task Force on Teleconferencing, Videoconferencing and the Open Meeting Act; specifying duties; providing for membership, staffing and reimbursement; providing for recodification; 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~~ are 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. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby created a Joint Task Force on Teleconferencing, Videoconferencing and the Open Meeting Act to study the use of teleconferences and videoconferences in conducting meetings of public bodies as defined pursuant to Section 304 of Title 25 of the Oklahoma Statutes and to recommend guidelines for determining the appropriateness of any further requested expansion of said use. The membership of the Task Force shall consist of five Senators appointed by the President Pro Tempore of the Senate and five Representatives appointed by the Speaker of the House of Representatives and shall be staffed by the Senate and the House. Members of the Task Force shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes. The Task Force shall submit a report of their recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives by December 1, 2005.

SECTION 3. This act shall become effective November 1, 2005.

Passed the House of Representatives the 19th day of May, 2005.

Presiding Officer of the House of
Representatives

Passed the Senate the 20th day of May, 2005.

Presiding Officer of the Senate