

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1243

By: Holt

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5
6 AS INTRODUCED

7 An Act relating to public bodies; amending 25 O.S.
8 2011, Sections 304 and 309, which relate to the
9 Oklahoma Open Meeting Act; adding the Legislature and
10 committees to definition of public body during
11 legislative sessions; removing the Legislature from
12 exclusion of definition of public body; specifying
13 requirements applicable during legislative interim
14 and to legislative caucuses; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 25 O.S. 2011, Section 304, is
18 amended to read as follows:

19 Section 304. As used in the Oklahoma Open Meeting Act:

20 1. "Public body" means the governing bodies of all
21 municipalities located within this state, boards of county
22 commissioners of the counties in this state, boards of public and
23 higher education in this state and all boards, bureaus, commissions,
24 agencies, trusteeships, authorities, councils, committees, public
trusts or any entity created by a public trust, including any
committee or subcommittee composed of any of the members of a public

1 trust or other legal entity receiving funds from the Rural Economic
2 Action Plan Fund as authorized by Section 2007 of Title 62 of the
3 Oklahoma Statutes, task forces or study groups in this state
4 supported in whole or in part by public funds or entrusted with the
5 expending of public funds, or administering public property, and
6 shall include all committees or subcommittees of any public body.
7 When the full Senate or House of Representatives or standing
8 committees thereof meet during regular or special sessions, the full
9 Senate, House of Representatives and standing committees thereof
10 shall be included within the definition of public body. Public body
11 shall not include:

- 12 a. the state judiciary,
- 13 b. the Council on Judicial Complaints when conducting,
14 discussing, or deliberating any matter relating to a
15 complaint received or filed with the Council, ~~the~~
16 ~~Legislature, or~~
- 17 c. administrative staffs of public bodies, including, but
18 not limited to, faculty meetings and athletic staff
19 meetings of institutions of higher education when
20 those staffs are not meeting with the public body, or
21 entry-year assistance committees. ~~Furthermore, public~~
22 ~~body shall not include,~~
- 23 d. the multidisciplinary team provided for in subsection
24 C of Section 1-502.2 of Title 63 of the Oklahoma

1 Statutes or any school board meeting for the sole
2 purpose of considering recommendations of a
3 multidisciplinary team and deciding the placement of
4 any child who is the subject of the recommendations.
5 ~~Furthermore, public body shall not include meetings~~
6 ~~conducted by, or~~

7 e. stewards designated by the Oklahoma Horse Racing
8 Commission pursuant to Section 203.4 of Title 3A of
9 the Oklahoma Statutes when the stewards are
10 officiating at races or otherwise enforcing rules of
11 the Commission;

12 2. "Meeting" means the conduct of business of a public body by
13 a majority of its members being personally together or, as
14 authorized by Section 307.1 of this title, together pursuant to a
15 videoconference. Meeting shall not include informal gatherings of a
16 majority of the members of the public body when no business of the
17 public body is discussed;

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

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

22 5. "Emergency meeting" means any meeting called for the purpose
23 of dealing with an emergency. For purposes of the Oklahoma Open
24 Meeting Act, an emergency is defined as a situation involving injury

1 to persons or injury and damage to public or personal property or
2 immediate financial loss when the time requirements for public
3 notice of a special meeting would make such procedure impractical
4 and increase the likelihood of injury or damage or immediate
5 financial loss;

6 6. "Continued or reconvened meeting" means a meeting which is
7 assembled for the purpose of finishing business appearing on an
8 agenda of a previous meeting. For the purposes of the Oklahoma Open
9 Meeting Act, only matters on the agenda of the previous meeting at
10 which the announcement of the continuance is made may be discussed
11 at a continued or reconvened meeting; and

12 7. "Videoconference" means a conference among members of a
13 public body remote from one another who are linked by interactive
14 telecommunication devices permitting both visual and auditory
15 communication between and among members of the public body and
16 members of the public. During any videoconference both the visual
17 and auditory communications functions of the device shall be
18 utilized. Whenever the term "teleconference" appears in any law in
19 relation to a meeting of a public body, it shall be deemed to mean a
20 videoconference as defined in this paragraph.

21 SECTION 2. AMENDATORY 25 O.S. 2011, Section 309, is
22 amended to read as follows:

23 Section 309. The In addition to other requirements of the
24 Oklahoma Open Meeting Act:

1 1. During the legislative interim, committees of the
2 Legislature shall conduct open meetings in accordance with rules to
3 be adopted by each house thereof; and

4 2. Although not public bodies as defined in Section 304.1 of
5 this title, majority and minority caucuses of the Legislature
6 meeting during regular or special sessions shall post notices of
7 their closed meetings at least twelve (12) hours in advance. No
8 votes regarding pending legislation may be held at such caucus
9 meetings unless they are open to the public.

10 SECTION 3. This act shall become effective November 1, 2012.

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