

1 ENGROSSED SENATE
2 BILL NO. 268

By: Dahm of the Senate

3 and

4 Osburn of the House

5
6 An Act relating to the Oklahoma Open Meeting Act;
7 amending 25 O.S. 2011, Section 307.1, which relates
8 to videoconferences; modifying requirements for a
quorum for certain virtual charter schools; providing
an effective date; and declaring an emergency.

9
10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 25 O.S. 2011, Section 307.1, is
13 amended to read as follows:

14 Section 307.1. A. A public body may hold meetings by
15 videoconference where each member of the public body is visible and
16 audible to each other and the public through a video monitor,
17 subject to the following:

18 1. ~~No~~

19 a. except as provided for in subparagraph b of this
20 paragraph, no less than a quorum of the public body
21 shall be present in person at the meeting site as
22 posted on the meeting notice and agenda,

23 b. a virtual charter school approved and sponsored by the
24 Statewide Virtual Charter School Board pursuant to the

1 provisions of Section 3-145.3 of Title 70 of the
2 Oklahoma Statutes shall maintain a quorum of members
3 for the entire duration of the meeting whether using
4 an in-person site, videoconference sites or any
5 combination of such sites to achieve a quorum;

6 2. The meeting notice and agenda prepared in advance of the
7 meeting, as required by law, shall indicate if the meeting will
8 include videoconferencing locations and shall state:

9 a. the location, address, and telephone number of each
10 available videoconference site, and

11 b. the identity of each member of the public body and the
12 specific site from which each member of the body shall
13 be physically present and participating in the
14 meeting;

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

19 4. In order to allow the public the maximum opportunity to
20 attend and observe each public official carrying out the duties of
21 the public official, a member or members of a public body desiring
22 to participate in a meeting by videoconference shall participate in
23 the videoconference from a site and room located within the district
24

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

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

10 6. The public shall be allowed to participate and speak, as
11 allowed by rule or policy set by the public body, in a meeting at
12 the videoconference site in the same manner and to the same extent
13 as the public is allowed to participate or speak at the site of the
14 meeting;

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

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

21 B. No public body shall conduct an executive session by
22 videoconference.

23 SECTION 2. This act shall become effective July 1, 2019.

24

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 25th day of February, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2019.

Presiding Officer of the House
of Representatives