

1 **SENATE FLOOR VERSION**

2 February 19, 2019

3 SENATE BILL NO. 268

By: Dahm

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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.

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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  
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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.

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

5 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
6 February 19, 2019 - DO PASS  
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