

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3708

By: Roberts (Sean)

AS INTRODUCED

An Act relating to public meetings; enacting the Oklahoma Public Meetings Livestreaming and Recording Act of 2022; defining terms; mandating that certain public meetings be livestreamed; mandating that livestreams be recorded; requiring that recordings be accessible for a certain minimum time period; exempting executive sessions; providing punishment for violation of act; creating a right of action; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 401 of Title 25, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Public Meetings Livestreaming and Recording Act of 2022".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 402 of Title 25, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1        1. "Public body" means the governing bodies of all  
2 municipalities located within this state, boards of county  
3 commissioners of the counties in this state, boards of public and  
4 higher education in this state, and all boards, bureaus,  
5 commissions, agencies, trusteeships, authorities, councils,  
6 committees, public trusts or any entity created by a public trust,  
7 including any committee or subcommittee composed of any of the  
8 members of a public trust or other legal entity receiving funds from  
9 the Rural Economic Action Plan Fund as authorized by Section 2007 of  
10 Title 62 of the Oklahoma Statutes, task forces or study groups in  
11 this state supported in whole or in part by public funds or  
12 entrusted with the expending of public funds, or administering  
13 public property, and shall include all committees or subcommittees  
14 of any public body. Public body shall not include the state  
15 judiciary, the Council on Judicial Complaints when conducting,  
16 discussing, or deliberating any matter relating to a complaint  
17 received or filed with the Council, the Legislature, or  
18 administrative staffs of public bodies, including, but not limited  
19 to, faculty meetings and athletic staff meetings of institutions of  
20 higher education when those staffs are not meeting with the public  
21 body, or entry-year assistance committees. Furthermore, public body  
22 shall not include the multidisciplinary teams provided for in  
23 Section 1-9-102 of Title 10A of the Oklahoma Statutes and subsection  
24 C of Section 1-502.2 of Title 63 of the Oklahoma Statutes or any

1 school board meeting for the sole purpose of considering  
2 recommendations of a multidisciplinary team and deciding the  
3 placement of any child who is the subject of the recommendations.  
4 Furthermore, public body shall not include meetings conducted by  
5 stewards designated by the Oklahoma Horse Racing Commission pursuant  
6 to Section 203.4 of Title 3A of the Oklahoma Statutes when the  
7 stewards are officiating at races or otherwise enforcing rules of  
8 the Commission. Furthermore, public body shall not include the  
9 board of directors of a Federally Qualified Health Center;

10 2. "Meeting" means the conduct of business of a public body by  
11 a majority of its members being personally together or, as  
12 authorized by Section 307.1 of Title 25 of the Oklahoma Statutes,  
13 together pursuant to a videoconference. Meeting shall not include  
14 informal gatherings of a majority of the members of the public body  
15 when no business of the public body is discussed; and

16 3. "Livestream" means a live transmission of an event over the  
17 Internet with both video and audio coverage.

18 SECTION 3. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 403 of Title 25, unless there is  
20 created a duplication in numbering, reads as follows:

21 A. Any public body which holds a meeting shall make available a  
22 livestream of the meeting available for viewing by the public.  
23  
24

1       B. Any public body which holds a meeting shall make available a  
2 recording of any livestream to the public for a minimum of three (3)  
3 years.

4       SECTION 4.       NEW LAW       A new section of law to be codified  
5 in the Oklahoma Statutes as Section 404 of Title 25, unless there is  
6 created a duplication in numbering, reads as follows:

7       This act shall not be applicable to executive sessions conducted  
8 according to the provisions of the Oklahoma Open Meeting Act.

9       SECTION 5.       NEW LAW       A new section of law to be codified  
10 in the Oklahoma Statutes as Section 405 of Title 25, unless there is  
11 created a duplication in numbering, reads as follows:

12       A. Any person willfully violating any of the provisions of this  
13 act shall be guilty of a misdemeanor and, upon conviction thereof,  
14 shall be punished by a fine not exceeding Five Hundred Dollars  
15 (\$500.00), or by imprisonment in the county jail for a period not  
16 exceeding one (1) year, or by both such fine and imprisonment.

17       B. Following a violation of this act, any person may bring a  
18 civil suit for declarative or injunctive relief, or both, and, if  
19 successful, shall be entitled to reasonable attorney fees.

20       C. If the public body successfully defends a civil suit and the  
21 court finds that the suit was clearly frivolous, the public body  
22 shall be entitled to reasonable attorney fees.

SECTION 6. This act shall become effective November 1, 2022.

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