

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3708

By: Roberts (Sean)

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6 AS INTRODUCED

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

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

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

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

23 SECTION 2. NEW LAW A new section of law to be codified
24 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.
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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.

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

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