

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1055 By: Kidd of the Senate
3 and
4 Pae of the House
5
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7 An Act relating to the Oklahoma Open Meeting Act;
8 amending 25 O.S. 2021, Section 307.1, as amended by
9 Section 2, Chapter 182, O.S.L. 2022 (25 O.S. Supp.
10 2022, Section 307.1), which relates to
11 videoconferences; providing exception for certain
quorum requirements for community action agency
boards; removing obsolete language; conforming
statutory references; providing an effective date;
and declaring an emergency.

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14 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
15 and insert:

16 "An Act relating to public meetings; amending 25 O.S.
17 2021, Sections 304, as amended by Section 1, Chapter
18 123, O.S.L. 2022, and 307.1, as amended by Section 2,
19 Chapter 182, O.S.L. 2022 (25 O.S. Supp. 2023,
20 Sections 304 and 307.1), which relate to the Oklahoma
Open Meeting Act; modifying definitions; providing a
21 definition for public health emergency; stating
22 requirements for a public body to conduct meetings
utilizing electronic means; clarifying quorum
23 requirements for specific agencies and meetings held
by electronic means; establishing public availability
24 requirements; clarifying notice requirements;
permitting participation by the public; prohibiting
certain private electronic communications;
establishing conditions for immunity from liability
for violations; providing for codification; and
providing an effective date.

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

2 SECTION 1. AMENDATORY 25 O.S. 2021, Section 304, as
3 amended by Section 1, Chapter 123, O.S.L. 2022 (25 O.S. Supp. 2023,
4 Section 304), is amended to read as follows:

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

6 1. "Public body" means the governing bodies of all
7 municipalities located within this state, boards of county
8 commissioners of the counties in this state, boards of public and
9 higher education in this state and all boards, bureaus, commissions,
10 agencies, trusteeships, authorities, councils, committees, public
11 trusts or any entity created by a public trust including any
12 committee or subcommittee composed of any of the members of a public
13 trust or other legal entity receiving funds from the Rural Economic
14 Action Plan Fund as authorized by Section 2007 of Title 62 of the
15 Oklahoma Statutes, task forces or study groups in this state
16 supported in whole or in part by public funds or entrusted with the
17 expending of public funds, or administering public property, and
18 shall include all committees or subcommittees of any public body.
19 Public body shall not include:

20 a. the state judiciary,

21 b. the Council on Judicial Complaints when conducting,
22 discussing, or deliberating any matter relating to a
23 complaint received or filed with the Council,

24 c. the Legislature, ~~or~~

1 d. administrative staffs of public bodies including, but
2 not limited to, faculty meetings and athletic staff
3 meetings of institutions of higher education when
4 those staffs are not meeting with the public body, or
5 entry-year assistance committees. ~~Furthermore, public~~
6 ~~body shall not include the,~~

7 e. multidisciplinary teams provided for in Section 1-9-
8 102 of Title 10A of the Oklahoma Statutes, in Section
9 ~~2~~ 10-115 of ~~this act~~ Title 43A of the Oklahoma
10 Statutes, and in subsection C of Section 1-502.2 of
11 Title 63 of the Oklahoma Statutes or any school board
12 meeting for the sole purpose of considering
13 recommendations of a multidisciplinary team and
14 deciding the placement of any child who is the subject
15 of the recommendations. ~~Furthermore, public body~~
16 ~~shall not include,~~

17 f. meetings conducted by stewards designated by the
18 Oklahoma Horse Racing Commission pursuant to Section
19 203.4 of Title 3A of the Oklahoma Statutes when the
20 stewards are officiating at races or otherwise
21 enforcing rules of the Commission. ~~Furthermore,~~
22 ~~public body shall not include, or~~

23 g. the board of directors of a Federally Qualified Health
24 Center;

1 2. "Meeting" means the conduct of business of a public body by
2 a majority of its members being personally together or, as
3 authorized by Section 307.1 of this title, together ~~pursuant to a~~
4 ~~videoconference~~ utilizing electronic means. Meeting shall not
5 include informal gatherings of a majority of the members of the
6 public body when no business of the public body is discussed;

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

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

11 5. "Emergency meeting" means any meeting called for the purpose
12 of dealing with an emergency including but not limited to a public
13 health emergency. For purposes of the Oklahoma Open Meeting Act, an
14 ~~emergency is defined as~~ "emergency" means a situation involving
15 injury to persons or injury and damage to public or personal
16 property or immediate financial loss when the time requirements for
17 public notice of a special meeting would make such procedure
18 impractical and increase the likelihood of injury or damage or
19 immediate financial loss;

20 6. "Continued or reconvened meeting" means a meeting which is
21 assembled for the purpose of finishing business appearing on an
22 agenda of a previous meeting. For the purposes of the Oklahoma Open
23 Meeting Act, only matters on the agenda of the previous meeting at
24

1 which the announcement of the continuance is made may be discussed
2 at a continued or reconvened meeting;

3 7. ~~"Videoconference"~~ "Public health emergency" means an
4 occurrence of imminent threat of an illness or health condition that
5 poses a high probability of a large number of deaths or serious or
6 long-term disabilities in the affected population, or widespread
7 exposure to an infectious or toxic agent that poses a significant
8 risk of harm to a large number of people in the affected population,
9 for which the Governor or an elected official or officials of a
10 political subdivision are authorized by law to declare an emergency;
11 and

12 8. "Electronic means" means a ~~conference among~~ method of
13 linking members of a public body remote from one another ~~who are~~
14 ~~linked~~ by interactive telecommunication devices or technology ~~and/or~~
15 or other technology permitting both visual and auditory
16 communication between and among members of the public body ~~and/or~~
17 and between and among members of the public body and members of the
18 public. During any ~~videoconference~~ meeting conducted utilizing
19 electronic means, both the visual and auditory communications
20 functions shall attempt to be utilized; ~~and~~

21 ~~8. "Teleconference" means a conference among members of a~~
22 ~~public body remote from one another who are linked by~~
23 ~~telecommunication devices and/or technology permitting auditory~~
24 ~~communication between and among members of the public body and/or~~

1 ~~between and among members of the public body and members of the~~
2 ~~public.~~

3 SECTION 2. AMENDATORY 25 O.S. 2021, Section 307.1, as
4 amended by Section 2, Chapter 182, O.S.L. 2022 (25 O.S. Supp. 2023,
5 Section 307.1), is amended to read as follows:

6 Section 307.1. A. ~~Except as provided in subsections C and D of~~
7 ~~this section, a~~ A public body may hold meetings ~~by videoconference~~
8 utilizing electronic means where each member of the public body is
9 visible and audible to each other and the public through a video
10 monitor, subject to the following:

- 11 1. a. except as provided for in ~~subparagraph~~ subparagraphs b
12 and c of this paragraph, no less than a quorum of the
13 public body shall be present in person at the physical
14 meeting site as posted on the meeting notice and
15 agenda,
- 16 b. a virtual charter school approved and sponsored by the
17 Statewide ~~Virtual~~ Charter School Board pursuant to the
18 provisions of Section ~~3-145.3~~ 3-134 of Title 70 of the
19 Oklahoma Statutes shall maintain a quorum of members
20 for the entire duration of the meeting whether using
21 an in-person site, ~~videoconference sites~~ electronic
22 means, or any combination of such sites to achieve a
23 quorum, ~~and~~

- 1 c. the board of a community action agency established
2 pursuant to Sections 5035 through 5040 of Title 74 of
3 the Oklahoma Statutes shall maintain a quorum of
4 members for the entire duration of the meeting whether
5 using an in-person site, electronic means, or any
6 combination of such sites to achieve a quorum, and
7 d. each public meeting held by ~~videoconference or~~
8 teleconference utilizing electronic means shall be
9 recorded either by written, electronic, or other
10 means;

11 2. The meeting notice and agenda prepared in advance of the
12 meeting, as required by law, shall indicate if the meeting will
13 include ~~videoconferencing~~ electronic locations and shall state:

- 14 a. the location, address, ~~and~~ website or link, or
15 telephone number of each available ~~videoconference~~
16 physical or electronic site, if applicable, and
17 b. the identity of each member of the public body and the
18 specific physical or electronic site from which each
19 member of the body shall be physically or
20 electronically present and participating in the
21 meeting; and

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

3 ~~4. In order to allow the public the maximum opportunity to~~
4 ~~attend and observe each public official carrying out the duties of~~
5 ~~the public official, a member or members of a public body desiring~~
6 ~~to participate in a meeting by videoconference shall participate in~~
7 ~~the videoconference from a site and room located within the district~~
8 ~~or political subdivision from which they are elected, appointed, or~~
9 ~~are sworn to represent;~~

10 ~~5. Each site and room where a member of the public body is~~
11 ~~present for a meeting by videoconference shall be open and~~
12 ~~accessible to the public, and the public shall be allowed into that~~
13 ~~site and room. Public bodies may provide additional videoconference~~
14 ~~sites as a convenience to the public, but additional sites shall not~~
15 ~~be used to exclude or discourage public attendance at any~~
16 ~~videoconference site;~~

17 ~~6. The public shall be allowed to participate and speak, as~~
18 ~~allowed by rule or policy set by the public body, in a meeting at~~
19 ~~the videoconference site in the same manner and to the same extent~~
20 ~~as the public is allowed to participate or speak at the site of the~~
21 ~~meeting;~~

22 ~~7. Any materials shared electronically between members of the~~
23 ~~public body, before or during the videoconference, shall also be~~
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1 ~~immediately available to the public in the same form and manner as~~
2 ~~shared with members of the public body; and~~

3 ~~8. All votes occurring during any meeting conducted using~~
4 ~~videoconferencing shall occur and be recorded by roll call vote by~~
5 ~~electronic means unless such remote participation was specifically~~
6 ~~authorized in the meeting notice.~~

7 ~~B. Except as provided for in subsection E of this section, no~~
8 ~~public body shall conduct an executive session by videoconference.~~

9 ~~C. Upon the effective date of this act and until February 15,~~
10 ~~2022, or until thirty (30) days after the expiration or termination~~
11 ~~of the state of emergency declared by the Governor to respond to the~~
12 ~~threat of COVID-19 to the people of this state and the public's~~
13 ~~peace, health and safety, whichever date first occurs, the~~
14 ~~provisions of this subsection and subsection D shall operate as law~~
15 ~~in this state.~~

16 ~~1. A public body may hold meetings by teleconference or~~
17 ~~videoconference if each member of the public body is audible or~~
18 ~~visible to each other and the public, subject to electronic means~~
19 ~~without a quorum at a physical location open to the public in the~~
20 ~~following circumstances:~~

21 ~~a. for~~

22 ~~1. Any meeting conducted by a virtual charter school approved~~
23 ~~and sponsored by the Statewide Virtual Charter School Board pursuant~~
24 ~~to the provisions of the Oklahoma Statutes, ~~the~~;~~

1 2. Any meeting conducted by the board of a community action
2 agency established pursuant to Sections 5035 through 5040 of Title
3 74 of the Oklahoma Statutes;

4 3. During a declared state of emergency in which the public
5 body is unable to utilize the physical meeting location. A state of
6 emergency declared by an elected official or officials of a
7 political subdivision as authorized by law shall not be a sufficient
8 reason to suspend the use of a physical location open to the public
9 for more than three consecutive meetings unless a state of emergency
10 covering the political subdivision is concurrently declared by the
11 Governor; or

12 4. If the physical location designated on the meeting notice
13 has become unsafe or otherwise inaccessible to the members of the
14 public body and the public due to circumstances including, but not
15 limited to, a gas leak, electrical failure, or structural damage to
16 the physical location.

17 The public body shall maintain a quorum of members for the entire
18 duration of the meeting whether using an in-person site,
19 ~~teleconference, or videoconference~~ electronic means, or any
20 combination of such sites to achieve a quorum, ~~and~~

21 ~~b. if the meeting is held using either teleconference or~~
22 ~~videoconference capabilities, and at any time the~~
23 ~~audio connection is disconnected, the meeting shall be~~

1 ~~stopped and reconvened once the audio connection is~~
2 ~~restored;~~

3 ~~2. The meeting notice and agenda prepared in advance of the~~
4 ~~meeting, as required by law, shall indicate if the meeting will~~
5 ~~include teleconferencing or videoconferencing and shall also state:~~

6 ~~a. each public body member appearing remotely and the~~
7 ~~method of each member's remote appearance, and~~

8 ~~b. the identity of the public body member or members who~~
9 ~~will be physically present at the meeting site, if~~
10 ~~any;~~

11 ~~3. After the meeting notice and agenda are prepared and posted~~
12 ~~as required by law, public body members shall not be permitted to~~
13 ~~alter their method of attendance; provided, however, those members~~
14 ~~who were identified as appearing remotely may be permitted to~~
15 ~~physically appear at the meeting site, if any, for the meeting;~~

16 ~~4. The public body shall be allowed to participate and speak,~~
17 ~~as allowed by rule or policy set by the public body, in a meeting~~
18 ~~which utilizes teleconference or videoconference in the same manner~~
19 ~~and to the same extent as the public is allowed to participate or~~
20 ~~speak during a meeting where all public body members are physically~~
21 ~~present together at the meeting site;~~

22 ~~5. Any documents or other materials provided to members of the~~
23 ~~public body or shared electronically between members of the public~~
24 ~~body during a meeting utilizing teleconferencing or~~

1 ~~videoconferencing shall also be immediately available to the public~~
2 ~~on the website of the public body, if the public body maintains a~~
3 ~~website; and~~

4 ~~6. All votes occurring during any meeting utilizing~~
5 ~~teleconference or videoconference shall occur and be recorded by~~
6 ~~roll call votes.~~

7 ~~D. Public bodies are permitted to conduct an executive session~~
8 ~~by teleconference or videoconference. For such executive sessions,~~
9 ~~no public body member is required to be physically present so long~~
10 ~~as each public body member is audible or visible to each other. The~~
11 ~~meeting notice and agenda prepared in advance of the meeting as~~
12 ~~required by law shall indicate if the executive session will include~~
13 ~~teleconferencing or videoconferencing and shall also state the~~
14 ~~identity of each public body member appearing remotely, the method~~
15 ~~of each member's remote appearance, and whether any member will be~~
16 ~~physically present at the meeting site, if any, for the executive~~
17 ~~session.~~

18 ~~E. C.~~ The Oklahoma Tax Commission may conduct executive
19 sessions with the taxpayer at issue attending using ~~videoconference~~
20 ~~technology~~ electronic means to discuss confidential taxpayer matters
21 as provided for in Section 205 of Title 68 of the Oklahoma Statutes.
22 During executive sessions, the Commission is required to be
23 physically present while taxpayers may appear using ~~videoconference~~
24 ~~technology~~ electronic means. The technology selected and utilized

1 by the Commission shall ensure taxpayer confidentiality including
2 compliance with safeguards as provided for in Internal Revenue
3 Service Publication 1075.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 307.2 of Title 25, unless there
6 is created a duplication in numbering, reads as follows:

7 A. A public body may conduct regular and special meetings
8 utilizing electronic means subject to the following requirements:

9 1. A quorum of members must be physically present in the
10 physical meeting location of the public body as provided in the
11 meeting notice; provided, however, a public body may conduct an
12 emergency meeting utilizing electronic means without a quorum
13 present at the physical location pursuant to Section 307.1 of Title
14 25 of the Oklahoma Statutes;

15 2. No member of a public body may participate in a regular or
16 special meeting utilizing electronic means for more than one-fourth
17 (1/4) of such meetings in a rolling one-year period;

18 3. A member of a public body participating in a meeting
19 utilizing electronic means shall be confirmed by audio or visual
20 affirmation to the public to be the actual member of the governing
21 body and may only participate from a fixed physical location;

22 4. Documents or other materials provided to members of the
23 public body or shared electronically between members of the public
24 body during a meeting utilizing electronic means shall be made

1 immediately available to the public on the website of the public
2 body if the public body maintains a website, or through distribution
3 or viewing on the site streaming the meeting;

4 5. The public shall be allowed to participate in meetings
5 conducted utilizing electronic means to the extent such
6 participation is consistent with current law or adopted rules or
7 policy of the public body;

8 6. All votes occurring during any meeting by members utilizing
9 electronic means shall be recorded by roll call vote with visual and
10 auditory confirmation of the member casting the vote;

11 7. Recordings of the meetings conducted through electronic
12 means shall be maintained by the public body until minutes of the
13 proceedings are open to public inspection, including but not limited
14 to posting on a website of the public body, as required by Section
15 312 of Title 25 of the Oklahoma Statutes; and

16 8. A member of a public body participating in a meeting by
17 electronic means may participate in executive sessions of the public
18 body provided all notice and agenda requirements for the member's
19 remote participation have been met.

20 B. To the extent practicable, if a public body maintains a
21 website, has dedicated information technology employees, and has
22 immediate access to a high-speed Internet connection, meetings shall
23 be streamed live on the public body's website, made available by
24 telephonic means, or video of the meeting shall be made available

1 through an alternative website. Video of such meetings shall be
2 maintained by the public body and available to the public for a
3 period of at least seven (7) business days after the adoption of the
4 meeting minutes. The provisions of this subsection shall not apply
5 if a public body determines that the implementation of this
6 subsection would create a significant financial burden to the public
7 body.

8 C. Meetings held without a physical meeting place open to the
9 public shall be streamed or otherwise made available to the public
10 at no charge by utilizing electronic means, the website of the
11 public body, the Internet, or any other free subscription digital
12 service or application.

13 D. No private electronic communications concerning public
14 business may occur between members of the public body during a
15 public meeting.

16 E. A public body that makes a good faith effort to comply with
17 the provisions of this section shall be immune from liability for
18 court costs and attorney fees in a civil action brought for a
19 violation of the requirements of this section.

20 SECTION 4. This act shall become effective November 1, 2024."
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1 Passed the House of Representatives the 17th day of April, 2024.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2024.

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9 Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 1055

By: Kidd of the Senate

3 and

4 Pae of the House
5

6 An Act relating to the Oklahoma Open Meeting Act;
7 amending 25 O.S. 2021, Section 307.1, as amended by
8 Section 2, Chapter 182, O.S.L. 2022 (25 O.S. Supp.
9 2022, Section 307.1), which relates to
10 videoconferences; providing exception for certain
11 quorum requirements for community action agency
12 boards; removing obsolete language; conforming
13 statutory references; providing an effective date;
14 and declaring an emergency.

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

16 SECTION 5. AMENDATORY 25 O.S. 2021, Section 307.1, as
17 amended by Section 2, Chapter 182, O.S.L. 2022 (25 O.S. Supp. 2022,
18 Section 307.1), is amended to read as follows:

19 Section 307.1. A. ~~Except as provided in subsections C and D of~~
20 ~~this section, a~~ A public body may hold meetings by videoconference
21 where each member of the public body is visible and audible to each
22 other and the public through a video monitor, subject to the
23 following:

- 24 1. a. except as provided for in ~~subparagraph~~ subparagraphs b
and c of this paragraph, no less than a quorum of the

- 1 public body shall be present in person at the meeting
2 site as posted on the meeting notice and agenda,
- 3 b. a virtual charter school approved and sponsored by the
4 Statewide Virtual Charter School Board pursuant to the
5 provisions of Section 3-145.3 of Title 70 of the
6 Oklahoma Statutes shall maintain a quorum of members
7 for the entire duration of the meeting whether using
8 an in-person site, videoconference sites or any
9 combination of such sites to achieve a quorum, ~~and~~
- 10 c. the board of a community action agency established
11 pursuant to Sections 5035 through 5040 of Title 74 of
12 the Oklahoma Statutes shall maintain a quorum of
13 members for the entire duration of the meeting whether
14 using an in-person site, videoconference sites or any
15 combination of such sites to achieve a quorum, and
- 16 d. each public meeting held by videoconference or
17 teleconference shall be recorded either by written,
18 electronic, or other means;

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

- 22 a. the location, address, and telephone number of each
23 available videoconference site, and
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1 b. the identity of each member of the public body and the
2 specific site from which each member of the body shall
3 be physically present and participating in the
4 meeting;

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

9 4. In order to allow the public the maximum opportunity to
10 attend and observe each public official carrying out the duties of
11 the public official, a member or members of a public body desiring
12 to participate in a meeting by videoconference shall participate in
13 the videoconference from a site and room located within the district
14 or political subdivision from which they are elected, appointed, or
15 are sworn to represent;

16 5. Each site and room where a member of the public body is
17 present for a meeting by videoconference shall be open and
18 accessible to the public, and the public shall be allowed into that
19 site and room. Public bodies may provide additional videoconference
20 sites as a convenience to the public, but additional sites shall not
21 be used to exclude or discourage public attendance at any
22 videoconference site;

23 6. The public shall be allowed to participate and speak, as
24 allowed by rule or policy set by the public body, in a meeting at

1 the videoconference site in the same manner and to the same extent
2 as the public is allowed to participate or speak at the site of the
3 meeting;

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

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

10 B. Except as provided for in subsection ~~E~~ C of this section, no
11 public body shall conduct an executive session by videoconference.

12 ~~C. Upon the effective date of this act and until February 15,~~
13 ~~2022, or until thirty (30) days after the expiration or termination~~
14 ~~of the state of emergency declared by the Governor to respond to the~~
15 ~~threat of COVID-19 to the people of this state and the public's~~
16 ~~peace, health and safety, whichever date first occurs, the~~
17 ~~provisions of this subsection and subsection D shall operate as law~~
18 ~~in this state.~~

19 ~~1. A public body may hold meetings by teleconference or~~
20 ~~videoconference if each member of the public body is audible or~~
21 ~~visible to each other and the public, subject to the following:~~

22 ~~a. for a virtual charter school approved and sponsored by~~
23 ~~the Statewide Virtual Charter School Board pursuant to~~
24 ~~the provisions of the Oklahoma Statutes, the public~~

~~body shall maintain a quorum of members for the entire duration of the meeting whether using an in-person site, teleconference, or videoconference or any combination of such sites to achieve a quorum, and~~
~~b. if the meeting is held using either teleconference or videoconference capabilities, and at any time the audio connection is disconnected, the meeting shall be stopped and reconvened once the audio connection is restored;~~

~~2. The meeting notice and agenda prepared in advance of the meeting, as required by law, shall indicate if the meeting will include teleconferencing or videoconferencing and shall also state:~~

~~a. each public body member appearing remotely and the method of each member's remote appearance, and~~

~~b. the identity of the public body member or members who will be physically present at the meeting site, if any;~~

~~3. After the meeting notice and agenda are prepared and posted as required by law, public body members shall not be permitted to alter their method of attendance; provided, however, those members who were identified as appearing remotely may be permitted to physically appear at the meeting site, if any, for the meeting;~~

~~4. The public body shall be allowed to participate and speak, as allowed by rule or policy set by the public body, in a meeting~~

1 ~~which utilizes teleconference or videoconference in the same manner~~
2 ~~and to the same extent as the public is allowed to participate or~~
3 ~~speak during a meeting where all public body members are physically~~
4 ~~present together at the meeting site;~~

5 ~~5. Any documents or other materials provided to members of the~~
6 ~~public body or shared electronically between members of the public~~
7 ~~body during a meeting utilizing teleconferencing or~~
8 ~~videoconferencing shall also be immediately available to the public~~
9 ~~on the website of the public body, if the public body maintains a~~
10 ~~website; and~~

11 ~~6. All votes occurring during any meeting utilizing~~
12 ~~teleconference or videoconference shall occur and be recorded by~~
13 ~~roll call votes.~~

14 ~~D. Public bodies are permitted to conduct an executive session~~
15 ~~by teleconference or videoconference. For such executive sessions,~~
16 ~~no public body member is required to be physically present so long~~
17 ~~as each public body member is audible or visible to each other. The~~
18 ~~meeting notice and agenda prepared in advance of the meeting as~~
19 ~~required by law shall indicate if the executive session will include~~
20 ~~teleconferencing or videoconferencing and shall also state the~~
21 ~~identity of each public body member appearing remotely, the method~~
22 ~~of each member's remote appearance, and whether any member will be~~
23 ~~physically present at the meeting site, if any, for the executive~~
24 ~~session.~~

~~E.~~ The Oklahoma Tax Commission may conduct executive sessions with the taxpayer at issue attending using videoconference technology to discuss confidential taxpayer matters as provided for in Section 205 of Title 68 of the Oklahoma Statutes. During executive sessions, the Commission is required to be physically present while taxpayers may appear using videoconference technology. The technology selected and utilized by the Commission shall ensure taxpayer confidentiality including compliance with safeguards as provided for in Internal Revenue Service Publication 1075.

SECTION 6. This act shall become effective July 1, 2023.

SECTION 7. 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 21st day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2023.

Presiding Officer of the House
of Representatives

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