

1 **SENATE FLOOR VERSION**

2 February 13, 2024

3 SENATE BILL NO. 1736

By: Weaver

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5
6 An Act relating to the Oklahoma Open Meeting Act;
7 amending 25 O.S. 2021, Section 304, as amended by
8 Section 1, Chapter 123, O.S.L. 2022 (25 O.S. Supp.
9 2023, Section 304), which relates to definitions;
10 modifying definition; and declaring an emergency.

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

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

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

16 1. "Public body" means the governing bodies of all
17 municipalities located within this state, boards of county
18 commissioners of the counties in this state, boards of public and
19 higher education in this state and all boards, bureaus, commissions,
20 agencies, trusteeships, authorities, councils, committees, public
21 trusts or any entity created by a public trust including any
22 committee or subcommittee composed of any of the members of a public
23 trust or other legal entity receiving funds from the Rural Economic
24 Action Plan Fund as authorized by Section 2007 of Title 62 of the

1 Oklahoma Statutes, task forces or study groups in this state
2 supported in whole or in part by public funds or entrusted with the
3 expending of public funds, or administering public property, and
4 shall include all committees or subcommittees of any public body.

5 Public body shall not include:

6 a. the state judiciary,

7 b. the Council on Judicial Complaints when conducting,
8 discussing, or deliberating any matter relating to a
9 complaint received or filed with the Council,

10 c. the Legislature, ~~or~~

11 d. administrative staffs of public bodies including, but
12 not limited to, faculty meetings and athletic staff
13 meetings of institutions of higher education when
14 those staffs are not meeting with the public body, or
15 entry-year assistance committees. ~~Furthermore, public~~
16 ~~body shall not include the,~~

17 e. multidisciplinary teams provided for in Section 1-9-
18 102 of Title 10A of the Oklahoma Statutes, in Section
19 ~~2~~ 10-115 of this act Title 43A of the Oklahoma
20 Statutes, and in subsection C of Section 1-502.2 of
21 Title 63 of the Oklahoma Statutes or any school board
22 meeting for the sole purpose of considering
23 recommendations of a multidisciplinary team and
24 deciding the placement of any child who is the subject

1 of the recommendations. ~~Furthermore, public body~~
2 ~~shall not include,~~

3 f. meetings conducted by stewards designated by the
4 Oklahoma Horse Racing Commission pursuant to Section
5 203.4 of Title 3A of the Oklahoma Statutes when the
6 stewards are officiating at races or otherwise
7 enforcing rules of the Commission. ~~Furthermore,~~
8 ~~public body shall not include,~~

9 g. the board of directors of a Federally Qualified Health
10 Center, or

11 h. the State Council for Interstate Juvenile Supervision
12 established pursuant to Section 2-9-116 of Title 10A
13 of the Oklahoma Statutes;

14 2. "Meeting" means the conduct of business of a public body by
15 a majority of its members being personally together or, as
16 authorized by Section 307.1 of this title, together pursuant to a
17 videoconference. Meeting shall not include informal gatherings of a
18 majority of the members of the public body when no business of the
19 public body is discussed;

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

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

24

1 5. "Emergency meeting" means any meeting called for the purpose
2 of dealing with an emergency. For purposes of the Oklahoma Open
3 Meeting Act, an emergency is defined as a situation involving injury
4 to persons or injury and damage to public or personal property or
5 immediate financial loss when the time requirements for public
6 notice of a special meeting would make such procedure impractical
7 and increase the likelihood of injury or damage or immediate
8 financial loss;

9 6. "Continued or reconvened meeting" means a meeting which is
10 assembled for the purpose of finishing business appearing on an
11 agenda of a previous meeting. For the purposes of the Oklahoma Open
12 Meeting Act, only matters on the agenda of the previous meeting at
13 which the announcement of the continuance is made may be discussed
14 at a continued or reconvened meeting;

15 7. "Videoconference" means a conference among members of a
16 public body remote from one another who are linked by interactive
17 telecommunication devices or technology and/or technology permitting
18 both visual and auditory communication between and among members of
19 the public body and/or between and among members of the public body
20 and members of the public. During any videoconference, both the
21 visual and auditory communications functions shall attempt to be
22 utilized; and

23 8. "Teleconference" means a conference among members of a
24 public body remote from one another who are linked by

1 telecommunication devices and/or technology permitting auditory
2 communication between and among members of the public body and/or
3 between and among members of the public body and members of the
4 public.

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

9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
10 February 13, 2024 - DO PASS

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