

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. 1

☐ COMMITTEE AMENDMENT

(Date)

I move to amend House Bill No. 1664 by substituting the attached floor substitute (Request # 2086) for the title, enacting clause, and entire body of the measure.

Submitted by:

Alvord
Senator Alvord

I hereby grant permission for the floor substitute to be adopted.

Howard
Senator Howard, Chair (required)

Gollihare
Senator Gollihare

Boren
Senator Boren

Brooks
Senator Brooks

Paxton
Senator Paxton, President Pro Tempore

Jech
Senator Jech

Jett
Senator Jett

Rosino
Senator Rosino

Standridge
Senator Standridge

Daniels
Senator Daniels, Majority Floor Leader

Note: Judiciary Committee majority requires five (5) members' signatures.

Alvord-TEK-FS-HB1664
4/30/2025 4:11 PM

(Floor Amendments Only)

Date and Time Filed: 5/1/25 9:00am M8

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE
FOR ENGROSSED

HOUSE BILL NO. 1664

By: Cantrell of the House

and

Alvord of the Senate

FLOOR SUBSTITUTE

An Act relating to the Oklahoma Open Meeting Act; amending 19 O.S. 2021, Section 326, which relates to meetings; exempting certain activities of county commissioners from the Oklahoma Open Meeting Act; amending 25 O.S. 2021, Sections 304, as last amended by Section 3, Chapter 237, O.S.L. 2024, and 307.1, as last amended by Section 1, Chapter 246, O.S.L. 2024 (25 O.S. Supp. 2024, Sections 304 and 307.1), which relate to definitions, videoconferences, and teleconferences; modifying definitions; providing exception for modification of meeting location; providing confidentiality exception for requirement to share certain materials with the public; authorizing Statewide Independent Living Council to conduct executive sessions by videoconference technology; establishing requirements for executive sessions conducted by videoconference technology; making language gender neutral; updating statutory language; updating statutory reference; and declaring an emergency.

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

SECTION 1. AMENDATORY 19 O.S. 2021, Section 326, is amended to read as follows:

1 Section 326. A. In addition to the special sessions for
2 equalizing assessments, and all other special sessions now provided
3 by law, the county commissioners shall meet and hold sessions for
4 the transaction of business in the county courthouse, at the county
5 seat, on or before the first Monday of each month, and may remain in
6 session as long as the public business may require, and the passing
7 upon, allowing or rejecting of bills against the county shall be
8 taken up and passed upon by the board in the order in which the
9 claims have been filed, and in which order such claims must be
10 entered upon the calendar, except salary, wage and compensation
11 claims of officers and deputies and employees, which salary, wage
12 and compensation claims may be considered and paid, on or after the
13 termination of the service pay period; provided, that such claims by
14 subordinate deputies and employees be first approved by the officer
15 having charge of the office or department. The board of county
16 commissioners may recess or adjourn its meetings within the session,
17 either from time to time or from day to day, or on call of the
18 ~~chairman~~ chair; but, if such board does not sooner adjourn its
19 session for any month, such session shall terminate and be adjourned
20 by operation of law on the last business day of such month. If the
21 board shall have adjourned its session before the last business day
22 of any month, the county clerk shall have power to call special
23 sessions when the best interests of the county demand it, upon
24 giving five (5) days' notice of the time and object of calling the

1 commissioners together, by posting up notices in three public places
2 in the county, or by publication in some newspaper of general
3 circulation in the county; provided, that in the case of a vacancy
4 in the office of county clerk, the ~~chairman~~ chair of the board shall
5 have power to call a special session for the purpose of filling such
6 vacancy.

7 B. The board of county commissioners may meet at times and in
8 places within the county other than the county courthouse if it is
9 determined that such meetings are beneficial to the general public.
10 Such meetings shall be in compliance with the Oklahoma Open Meeting
11 Act.

12 C. County commissioners may attend and participate in
13 conferences, trainings, and educational, press, and social events,
14 even if a quorum is present, provided that no official action is
15 taken and any discussion of the business of the board of county
16 commissioners is incidental to the event.

17 D. County commissioners may attend and participate in meetings
18 and proceedings of the Legislature, even if a quorum is present,
19 provided that no official action is taken.

20 E. In a county that has a county budget board as provided in
21 Section 1407 of this title, county commissioners and other county
22 elected officers may discuss budgetary matters, provided that a
23 quorum of the county budget board is not present, and no official
24 action is taken.

1 SECTION 2. AMENDATORY 25 O.S. 2021, Section 304, as last
2 amended by Section 3, Chapter 237, O.S.L. 2024 (25 O.S. Supp. 2024,
3 Section 304), is amended to read as follows:

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

5 1. "Public body" means the governing bodies of all
6 municipalities located within this state, boards of county
7 commissioners of the counties in this state, boards of public and
8 higher education in this state and all boards, bureaus, commissions,
9 agencies, trusteeships, authorities, councils, committees, public
10 trusts or any entity created by a public trust including any
11 committee or subcommittee composed of any of the members of a public
12 trust or other legal entity receiving funds from the Rural Economic
13 Action Plan Fund as authorized by Section 2007 of Title 62 of the
14 Oklahoma Statutes, task forces or study groups in this state
15 supported in whole or in part by public funds or entrusted with the
16 expending of public funds, or administering public property, and
17 shall include all committees or subcommittees of any public body.

18 Public body shall not include:

- 19 a. the state judiciary,
20 b. the Council on Judicial Complaints when conducting,
21 discussing, or deliberating any matter relating to a
22 complaint received or filed with the Council,
23 c. the Legislature, ~~or~~

24

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

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

22 g. the board of directors of a Federally Qualified Health
23 Center or the postadjudication review boards provided
24

1 for in Sections 1116.2 and 1116.3 of Title 10 of the
2 Oklahoma Statutes, or

3 h. boards of county commissioners for the purposes set
4 forth in subsections C, D, and E of Section 326 of
5 Title 19 of the Oklahoma Statutes;

6 2. "Meeting" means the conduct of business of a public body by
7 a majority of its members being personally together or, as
8 authorized by Section 307.1 of this title, together pursuant to a
9 videoconference. Meeting shall not include informal gatherings of a
10 majority of the members of the public body when no business of the
11 public body is discussed;

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

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

16 5. "Emergency meeting" means any meeting called for the purpose
17 of dealing with an emergency. For purposes of the Oklahoma Open
18 Meeting Act, an emergency is defined as a situation involving injury
19 to persons or injury and damage to public or personal property or
20 immediate financial loss when the time requirements for public
21 notice of a special meeting would make such procedure impractical
22 and increase the likelihood of injury or damage or immediate
23 financial loss;

1 6. "Continued or reconvened meeting" means a meeting which is
2 assembled for the purpose of finishing business appearing on an
3 agenda of a previous meeting. For the purposes of the Oklahoma Open
4 Meeting Act, only matters on the agenda of the previous meeting at
5 which the announcement of the continuance is made may be discussed
6 at a continued or reconvened meeting;

7 7. "Videoconference" means a conference among members of a
8 public body remote from one another who are linked by interactive
9 telecommunication devices or technology, ~~and/or~~ or technology
10 permitting both visual and auditory communication between and among
11 members of the public body ~~and/or~~ or between and among members of
12 the public body and members of the public. During any
13 videoconference, both the visual and auditory communications
14 functions shall attempt to be utilized; and

15 8. "Teleconference" means a conference among members of a
16 public body remote from one another who are linked by
17 telecommunication devices ~~and/or~~ or technology permitting auditory
18 communication between and among members of the public body ~~and/or~~ or
19 between and among members of the public body and members of the
20 public.

21 SECTION 3. AMENDATORY 25 O.S. 2021, Section 307.1, as
22 last amended by Section 1, Chapter 246, O.S.L. 2024 (25 O.S. Supp.
23 2024, Section 307.1), is amended to read as follows:
24

1 Section 307.1. A. A public body may hold meetings by
2 videoconference where each member of the public body is visible and
3 audible to each other and the public through a video monitor,
4 subject to the following:

5 1. a. except as provided for in subparagraph b of this
6 paragraph, no less than a quorum of the public body
7 shall be present in person at the meeting site as
8 posted on the meeting notice and agenda,

9 b. a virtual charter school approved and sponsored by the
10 Statewide ~~Virtual~~ Charter School Board pursuant to the
11 provisions of Section ~~3-145.3~~ 3-132.1 of Title 70 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 c. 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
24

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; provided,
9 however, any member identified as appearing remotely may appear in
10 person for the meeting at the meeting site, if any;

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

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

1 6. The public shall be allowed to participate and speak, as
2 allowed by rule or policy set by the public body, in a meeting at
3 the videoconference site in the same manner and to the same extent
4 as the public is allowed to participate or speak at the site of the
5 meeting;

6 7. ~~Any~~ Unless confidential or privileged under applicable law,
7 any materials shared electronically between members of the public
8 body, before or during the videoconference, shall also be
9 immediately available to the public in the same form and manner as
10 shared with members of the public body; and

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

13 B. Except as provided for in ~~subsection~~ subsections C and D of
14 this section, no public body shall conduct an executive session by
15 videoconference.

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

1 D. The Statewide Independent Living Council established
2 pursuant to Section 625.2 of Title 56 of the Oklahoma Statutes may
3 conduct executive sessions using videoconference technology. For
4 such executive sessions, no Council member shall be required to be
5 physically present as long as each Council member is audible or
6 visible to each other. The meeting notice and agenda prepared in
7 advance of the meeting as required by law shall indicate if the
8 executive session will include videoconferencing and shall also
9 state the identity of each Council member appearing remotely, and
10 whether any member will be physically present at the meeting site,
11 if any, for the executive session.

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

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