

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 1664

By: Cantrell of the House

and

Alvord of the Senate

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7 An Act relating to county commissioners; amending 19
8 O.S. 2021, Section 326, which relates to meetings;
9 allowing county commissioners to participate in
10 conferences, trainings, and events under certain
11 circumstances; authorizing *** relates to the
12 Statewide Independent Living Council; allowing the
13 Council to hold meetings via videoconferencing;
14 providing procedures; permitting the Council to
15 conduct executive sessions by videoconference under
16 certain circumstances; and declaring an emergency.

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AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

"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
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;

1 updating statutory reference; and declaring an
2 emergency.

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

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

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

1 session for any month, such session shall terminate and be adjourned
2 by operation of law on the last business day of such month. If the
3 board shall have adjourned its session before the last business day
4 of any month, the county clerk shall have power to call special
5 sessions when the best interests of the county demand it, upon
6 giving five (5) days' notice of the time and object of calling the
7 commissioners together, by posting up notices in three public places
8 in the county, or by publication in some newspaper of general
9 circulation in the county; provided, that in the case of a vacancy
10 in the office of county clerk, the ~~chairman~~ chair of the board shall
11 have power to call a special session for the purpose of filling such
12 vacancy.

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

18 C. County commissioners may attend and participate in
19 conferences, trainings, and educational, press, and social events,
20 even if a quorum is present, provided that no official action is
21 taken and any discussion of the business of the board of county
22 commissioners is incidental to the event.

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

4 E. In a county that has a county budget board as provided in
5 Section 1407 of this title, county commissioners and other county
6 elected officers may discuss budgetary matters, provided that a
7 quorum of the county budget board is not present, and no official
8 action is taken.

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

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

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

1 shall include all committees or subcommittees of any public body.

2 Public body shall not include:

3 a. the state judiciary,

4 b. the Council on Judicial Complaints when conducting,
5 discussing, or deliberating any matter relating to a
6 complaint received or filed with the Council,

7 c. the Legislature, ~~or~~

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

14 e. multidisciplinary teams provided for in Section 1-9-
15 102 of Title 10A of the Oklahoma Statutes, in Section
16 10-115 of Title 43A of the Oklahoma Statutes, and in
17 subsection C of Section 1-502.2 of Title 63 of the
18 Oklahoma Statutes or any school board meeting for the
19 sole purpose of considering recommendations of a
20 multidisciplinary team and deciding the placement of
21 any child who is the subject of the recommendations.
22 ~~Furthermore, public body shall not include,~~

23 f. meetings conducted by stewards designated by the
24 Oklahoma Horse Racing Commission pursuant to Section

1 203.4 of Title 3A of the Oklahoma Statutes when the
2 stewards are officiating at races or otherwise
3 enforcing rules of the Commission. ~~Furthermore,~~
4 ~~public body shall not include,~~

5 g. the board of directors of a Federally Qualified Health
6 Center or the postadjudication review boards provided
7 for in Sections 1116.2 and 1116.3 of Title 10 of the
8 Oklahoma Statutes, or

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

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

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

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

22 5. "Emergency meeting" means any meeting called for the purpose
23 of dealing with an emergency. For purposes of the Oklahoma Open
24 Meeting Act, an emergency is defined as a situation involving injury

1 to persons or injury and damage to public or personal property or
2 immediate financial loss when the time requirements for public
3 notice of a special meeting would make such procedure impractical
4 and increase the likelihood of injury or damage or immediate
5 financial loss;

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

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

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

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

3 SECTION 3. AMENDATORY 25 O.S. 2021, Section 307.1, as
4 last amended by Section 1, Chapter 246, O.S.L. 2024 (25 O.S. Supp.
5 2024, Section 307.1), is amended to read as follows:

6 Section 307.1. A. A public body may hold meetings by
7 videoconference where each member of the public body is visible and
8 audible to each other and the public through a video monitor,
9 subject to the following:

- 10 1. a. except as provided for in subparagraph b of this
11 paragraph, no less than a quorum of the public body
12 shall be present in person at the meeting site as
13 posted on the meeting notice and agenda,
- 14 b. a virtual charter school approved and sponsored by the
15 Statewide ~~Virtual~~ Charter School Board pursuant to the
16 provisions of Section ~~3-145.3~~ 3-132.1 of Title 70 of
17 the Oklahoma Statutes, or the Statewide Independent
18 Living Council established pursuant to Section 625.2
19 of Title 56 of the Oklahoma Statutes, shall maintain a
20 quorum of members for the entire duration of the
21 meeting whether using an in-person site,
22 videoconference sites or any combination of such sites
23 to achieve a quorum, and

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1 c. each public meeting held by videoconference or
2 teleconference shall be recorded either by written,
3 electronic, or other means;

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

7 a. the location, address, and telephone number of each
8 available videoconference site, and

9 b. the identity of each member of the public body and the
10 specific site from which each member of the body shall
11 be physically present and participating in the
12 meeting;

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

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

1 5. Each site and room where a member of the public body is
2 present for a meeting by videoconference shall be open and
3 accessible to the public, and the public shall be allowed into that
4 site and room. Public bodies may provide additional videoconference
5 sites as a convenience to the public, but additional sites shall not
6 be used to exclude or discourage public attendance at any
7 videoconference site;

8 6. The public shall be allowed to participate and speak, as
9 allowed by rule or policy set by the public body, in a meeting at
10 the videoconference site in the same manner and to the same extent
11 as the public is allowed to participate or speak at the site of the
12 meeting;

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

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

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

23 C. The Oklahoma Tax Commission may conduct executive sessions
24 with the taxpayer at issue attending using videoconference

1 technology to discuss confidential taxpayer matters as provided for
2 in Section 205 of Title 68 of the Oklahoma Statutes. During
3 executive sessions, the Commission is required to be physically
4 present while taxpayers may appear using videoconference technology.
5 The technology selected and utilized by the Commission shall ensure
6 taxpayer confidentiality including compliance with safeguards as
7 provided for in Internal Revenue Service Publication 1075.

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

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

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1 ENGROSSED HOUSE
2 BILL NO. 1664

By: Cantrell of the House

and

Alvord of the Senate

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8 An Act relating to county commissioners; amending 19
9 O.S. 2021, Section 326, which relates to meetings;
10 allowing county commissioners to participate in
11 conferences, trainings, and events under certain
12 circumstances; authorizing county commissioners to
13 participate in legislative meetings in certain
14 circumstances; authorizing county commissioners to
15 discuss budgetary matters in certain circumstances;
16 amending 56 O.S. 2021, Section 625.2, which relates
17 to the Statewide Independent Living Council; allowing
18 the Council to hold meetings via videoconferencing;
19 providing procedures; permitting the Council to
20 conduct executive sessions by videoconference under
21 certain circumstances; and declaring an emergency.

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

SECTION 5. AMENDATORY 19 O.S. 2021, Section 326, is
amended to read as follows:

Section 326. A. In addition to the special sessions for
equalizing assessments, and all other special sessions now provided
by law, the county commissioners shall meet and hold sessions for
the transaction of business in the county courthouse, at the county

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

1 have power to call a special session for the purpose of filling such
2 vacancy.

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

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

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

16 E. In budget board counties, county commissioners and other
17 county elected officers may discuss budgetary matters, provided that
18 a quorum of the county budget board is not present and no official
19 action is taken.

20 SECTION 6. AMENDATORY 56 O.S. 2021, Section 625.2, is
21 amended to read as follows:

22 Section 625.2. A. There is hereby created the Statewide
23 Independent Living Council which shall be established pursuant to
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1 the federal Rehabilitation Act of 1973, Public Law 93-112, codified
2 at 29 U.S.C., Section 701 et seq., as amended.

3 B. The duties of the Council shall be those as set forth in the
4 federal Rehabilitation Act of 1973, as amended.

5 C. Subject to the availability of state funds other than those
6 appropriated to the Department of Rehabilitation Services for the
7 purpose of providing independent living services to its clients, and
8 in accordance with the State Plan for Independent Living, the
9 Department of Rehabilitation Services, in joint effort with the
10 Statewide Independent Living Council, may contract with independent
11 living centers for the purpose of providing independent living
12 services to individuals with disabilities and their families.

13 D. The Council shall be permitted to hold meetings through
14 videoconferencing, provided that:

15 1. Each member of the Council is audible or visible to each
16 other and the public;

17 2. The meeting notice and agenda prepared in advance of the
18 meeting, as required by the Oklahoma Open Meeting Act, shall
19 indicate if the meeting will include videoconferencing and shall
20 also state:

21 a. each Council member appearing remotely, and

22 b. the identity of the Council member or members who will
23 be physically present at the meeting site, if any;

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

6 4. The Council shall be permitted to participate and speak, as
7 allowed by rule or policy set by the Council, in a meeting which
8 utilizes teleconference or videoconference in the same manner and to
9 the same extent as the public is allowed to participate or speak
10 during a meeting where all public body members are physically
11 present together at the meeting site;

12 5. Unless confidential or privileged by applicable law, any
13 documents or other materials provided to members of the Council or
14 shared electronically between members of the Council during a
15 meeting utilizing teleconferencing or videoconferencing shall also
16 be immediately available to the public on the Council's website;

17 6. All votes occurring during any meeting utilizing
18 teleconference or videoconference shall occur and be recorded by
19 roll call votes; and

20 7. The Council abides by all other requirements of the Oklahoma
21 Open Meeting Act.

22 E. The Council is permitted to conduct an executive session by
23 videoconference. For such executive sessions, no Council member is
24 required to be physically present so long as each Council member is

1 audible or visible to each other. The meeting notice and agenda
2 prepared in advance of the meeting as required by law shall indicate
3 if the executive session will include videoconferencing and shall
4 also state the identity of each Council member appearing remotely,
5 and whether any member will be physically present at the meeting
6 site, if any, for the executive session.

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

11 Passed the House of Representatives the 25th day of March, 2025.

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14 Presiding Officer of the House
15 of Representatives

16 Passed the Senate the ____ day of _____, 2025.

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18 Presiding Officer of the Senate
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