

By: Canales

H.B. No. 2683

Substitute the following for H.B. No. 2683:

By: Paddie

C.S.H.B. No. 2683

A BILL TO BE ENTITLED

AN ACT

relating to remote and other meetings held under the open meetings law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 551, Government Code, is amended by adding Section 551.008 to read as follows:

Sec. 551.008. PUBLIC ACCESS TO CERTAIN MEETINGS. (a) This section applies only to an open meeting of a governmental body at which at least a majority of the members of the body participate by a method other than by appearing in person at the meeting's physical location, including by telephone conference call or videoconference call.

(b) The requirements prescribed by this section are in addition to other requirements of law applicable to an open meeting. Except as provided by this section, this section prevails to the extent of a conflict with another provision of law.

(c) A governmental body shall ensure that members of the public are able to listen to and, if applicable, speak at an open meeting to which this section applies by telephone.

(d) A governmental body that holds an open meeting to which this section applies shall:

(1) make the open meeting audible to the public by telephone and at each location described by Subsection (e)(2);

(2) if the meeting is broadcast live over the Internet

1 or held wholly or partly by videoconference call, provide public
2 access to both audiovisual and audio-only feeds of the open meeting
3 over the Internet; and

4 (3) if applicable, allow members of the public to
5 address the governmental body as provided by Section 551.007:

6 (A) by telephone; and

7 (B) by videoconference call if the meeting is
8 held wholly or partly by videoconference call.

9 (e) The notice of an open meeting to which this section
10 applies must:

11 (1) comply with the requirements of this chapter;

12 (2) list each physical location where a member of the
13 public may observe and participate in the meeting, including:

14 (A) any location that is open to the public where
15 a member of the governmental body intends to participate in the
16 meeting; and

17 (B) any facility provided by the governmental
18 body for a member of the public to observe or speak at the meeting;

19 (3) include a toll free telephone number that members
20 of the public may use to hear and, if applicable, speak at the
21 meeting;

22 (4) include access information for any audiovisual or
23 audio-only feeds required by Subsection (d)(2); and

24 (5) include instructions for a member of the public to
25 speak at the meeting:

26 (A) from a remote location; or

27 (B) while physically present at a location

1 described by Subdivision (2).

2 (f) An open meeting to which this section applies shall be
3 recorded. Except as otherwise provided by law, the recording shall
4 be made available to the public not later than 24 hours after the
5 adjourning of the meeting.

6 SECTION 2. Section 551.041, Government Code, is amended to
7 read as follows:

8 Sec. 551.041. NOTICE OF MEETING REQUIRED. (a) A
9 governmental body shall give written notice of the date, hour,
10 place, and subject of each meeting held by the governmental body.

11 (b) The notice must include:

12 (1) an agenda of the specific subjects to be
13 considered in the open meeting so that the public is aware of the
14 subjects for public deliberation; and

15 (2) to the extent foreseeable at the time the notice is
16 posted, the subjects to be considered in a closed meeting.

17 (c) A governmental body may not conduct a closed meeting on
18 a subject not included in the notice as prescribed by Subsection
19 (b)(2) unless the body determines by official action during the
20 open meeting for which the notice was posted that the necessity of
21 considering the subject was not reasonably foreseeable at the time
22 the notice was posted.

23 SECTION 3. Sections 551.128(b) and (c), Government Code,
24 are amended to read as follows:

25 (b) Except as provided by Subsection (b-1) and subject to
26 the requirements of this section, a governmental body may broadcast
27 an open meeting over the Internet. A governmental body shall

1 broadcast an open meeting over the Internet if the physical
2 location of the meeting is not accessible to members of the public
3 or is not large enough to accommodate all persons seeking to attend
4 the meeting in person, including if the location has reduced
5 capacity as the result of a public emergency or disaster.

6 (c) Except as provided by Subsection (b-2), a governmental
7 body that broadcasts a meeting over the Internet shall establish an
8 Internet site and provide free and open access for members of the
9 public to the broadcast from that site. The governmental body shall
10 provide on the Internet site the same notice of the meeting that the
11 governmental body is required to post under Subchapter C. The
12 notice on the Internet must be posted within the time required for
13 posting notice under Subchapter C.

14 SECTION 4. The changes in law made by this Act apply only to
15 a meeting of a governmental body held on or after the effective date
16 of this Act.

17 SECTION 5. This Act takes effect September 1, 2021.