

By: Gallegos

S.B. No. 1826

A BILL TO BE ENTITLED

AN ACT

relating to the definition in the open meetings law of the term "deliberation."

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

SECTION 1. Subdivisions (2) and (4), Section 551.001, Government Code, are amended to read as follows:

(2) "Deliberation" means a verbal or written exchange ~~[during a meeting]~~ between a quorum of a governmental body, or between a quorum of a governmental body and another person, concerning an issue within the jurisdiction of the governmental body or any public business. A written exchange includes an e-mail, letter, or other written communication that:

(A) is produced by or originates from a member of the governmental body;

(B) is circulated among a quorum of the governmental body; and

(C) concerns an issue within the jurisdiction of the governmental body or any public business.

(4) "Meeting" means:

(A) a deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal

1 action; or

2 (B) except as otherwise provided by this
3 subdivision, a gathering:

4 (i) that is conducted by the governmental
5 body or for which the governmental body is responsible;

6 (ii) at which a quorum of members of the
7 governmental body is present or actively participating;

8 (iii) that has been called by the
9 governmental body; and

10 (iv) at which the members receive
11 information from, give information to, ask questions of, or receive
12 questions from any third person, including an employee of the
13 governmental body, about the public business or public policy over
14 which the governmental body has supervision or control.

15 The term does not include the gathering of a quorum of a
16 governmental body at a social function unrelated to the public
17 business that is conducted by the body, or the attendance by a
18 quorum of a governmental body at a regional, state, or national
19 convention or workshop, ceremonial event, or press conference, if
20 formal action is not taken and any discussion of public business is
21 incidental to the social function, convention, workshop,
22 ceremonial event, or press conference.

23 The term includes a session of a governmental body.

24 SECTION 2. This Act takes effect September 1, 2011.