

BILL ANALYSIS

S.B. 984
By: Ellis
Government Efficiency & Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that currently, the use of videoconference calls in an open meetings context is strictly limited by state open meetings law, especially provisions requiring a quorum, or majority of a quorum, to be physically present at one location and requiring that each call-in location be open to the public and listed in the open meetings notice. These parties suggest that expanding the permissible uses of videoconference calls would reduce the travel burden on governmental bodies and encourage member participation in meetings. To address these issues, S.B. 984 seeks to revise statutory provisions relating to open meetings held by videoconference call.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 984 amends the Government Code to change the conditions under which a meeting of a state governmental body or a governmental body that extends into three or more counties may be held by videoconference call by authorizing such a meeting only if the member of the governmental body presiding over the meeting is physically present at one location of the meeting that is open to the public during the open portions of the meeting and by removing the condition that such a meeting may be held only if a majority of the quorum of the governmental body is physically present at one location of the meeting.

S.B. 984 clarifies that the notice of such a videoconference meeting must reflect the bill's changes regarding the location of the meeting and the physical presence of the presiding member of the governmental body. The bill removes the requirement that the notice of the meeting specify as a location of the meeting each other location at which a member of the governmental body who will participate in the meeting will be physically present during the meeting. The bill requires the location at which the member of the governmental body presiding over the meeting is physically present to be open to the public during the open portions of the meeting.

S.B. 984 requires a meeting, if a problem occurs that causes the meeting to no longer be visible and audible to the public at that location, to be recessed until the problem is resolved and requires the meeting to be adjourned if the problem is not resolved in six hours or less. The bill requires the location at which the member presiding over the meeting is physically present and each remote location from which a member of the governmental body participates to have two-way communication with each other location during the entire meeting and specifies that the face and voice of each participant be clearly visible and audible to each other participant and, as applicable, to members of the public in attendance.

EFFECTIVE DATE

September 1, 2013.