

By: Perry, et al.

H.B. No. 1749

Substitute the following for H.B. No. 1749:

By: Harper-Brown

C.S.H.B. No. 1749

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the meeting of a governmental body held by  
3 videoconference call.

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

5 SECTION 1. Section 551.127, Government Code, is amended by  
6 amending Subsections (c), (e), (f), and (h) and adding Subsection  
7 (l) to read as follows:

8 (c) A meeting of a state governmental body or a governmental  
9 body that extends into three or more counties may be held by  
10 videoconference call only if the member [~~a majority of the quorum~~]  
11 of the governmental body presiding over the meeting is physically  
12 present at one location of the meeting that is open to the public  
13 during the open portions of the meeting.

14 (e) The notice of a meeting to be held by videoconference  
15 call must specify as a location of the meeting the location where a  
16 quorum of the governmental body will be physically present and  
17 specify the intent to have a quorum present at that location, except  
18 that the notice of a meeting to be held by videoconference call  
19 under Subsection (c) must specify as a location of the meeting the  
20 [~~each~~] location where the member [~~a majority of the quorum~~] of the  
21 governmental body presiding over the meeting will be physically  
22 present and specify the intent to have the member [~~a majority of the~~  
23 ~~quorum~~] of the governmental body presiding over the meeting present  
24 at that location. The location where the member of the governmental

1 body presiding over the meeting is physically present [~~In addition,~~  
2 ~~the notice of the meeting must specify as a location of the meeting~~  
3 ~~each other location where a member of the governmental body who will~~  
4 ~~participate in the meeting will be physically present during the~~  
5 ~~meeting. Each of the locations]~~ shall be open to the public during  
6 the open portions of the meeting.

7 (f) Each portion of a meeting held by videoconference call  
8 that is required to be open to the public shall be visible and  
9 audible to the public at the [~~each~~] location specified under  
10 Subsection (e). If a problem occurs that causes a meeting to no  
11 longer be visible and audible to the public at that location, the  
12 meeting must be recessed until the problem is resolved. If the  
13 problem is not resolved in six hours or less, the meeting must be  
14 adjourned.

15 (h) The [~~Each~~] location specified under Subsection (e), and  
16 each remote location from which a member of the governmental body  
17 participates, shall have two-way communication with each other  
18 location during the entire meeting. The face of each [~~Each~~]  
19 participant in the videoconference call, while that participant is  
20 speaking, shall be clearly visible, and the voice audible, to each  
21 other participant and, during the open portion of the meeting, to  
22 the members of the public in attendance at a location of the  
23 meeting.

24 (l) In any meeting held by videoconference call, a member of  
25 the public present at a location where a member of the governmental  
26 body is participating in the meeting by videoconference call must  
27 be provided the opportunity to participate in the meeting by means

1 of the videoconference call in the same manner as a member of the  
2 public who is physically present at a meeting of the governmental  
3 body that is not held by videoconference call.

4 SECTION 2. This Act takes effect September 1, 2013.