

By: Fallon, Márquez, Capriglione,
Rodriguez of Travis, et al.

H.B. No. 283

Substitute the following for H.B. No. 283:

By: Elkins

C.S.H.B. No. 283

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the requirement that certain governmental bodies make
3 audio and video recordings of open meetings available on the
4 Internet.

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

6 SECTION 1. Section [551.128](#), Government Code, is amended by
7 amending Subsections (b) and (c) and adding Subsections (b-1),
8 (b-2), (b-3), (b-4), (b-5), and (b-6) to read as follows:

9 (b) Except as provided by Subsection (b-1) and subject
10 [Subject] to the requirements of this section, a governmental body
11 may broadcast an open meeting over the Internet.

12 (b-1) A transit authority or department subject to Chapter
13 451, 452, or 453, Transportation Code, an elected school district
14 board of trustees for a school district that has a student
15 enrollment of 10,000 or more, or a county commissioners court or
16 elected governing body of a home-rule municipality for a county or
17 municipality that has a population of 50,000 or more shall:

18 (1) make a video and audio recording of reasonable
19 quality of each regularly scheduled open meeting that is not a work
20 session or a special called meeting; and

21 (2) make available an archived copy of the video and
22 audio recording of each meeting described by Subdivision (1) on the
23 Internet.

24 (b-2) A governmental body described by Subsection (b-1) may

1 make available the archived recording of a meeting required by
2 Subsection (b-1) on an existing Internet site, including a publicly
3 accessible video-sharing or social networking site. The
4 governmental body is not required to establish a separate Internet
5 site and provide access to archived recordings of meetings from
6 that site.

7 (b-3) A governmental body described by Subsection (b-1)
8 that maintains an Internet site shall make available on that site,
9 in a conspicuous manner:

10 (1) the archived recording of each meeting to which
11 Subsection (b-1) applies; or

12 (2) an accessible link to the archived recording of
13 each such meeting.

14 (b-4) A governmental body described by Subsection (b-1)
15 shall:

16 (1) make the archived recording of each meeting to
17 which Subsection (b-1) applies available on the Internet not later
18 than seven days after the date the recording was made; and

19 (2) maintain the archived recording on the Internet
20 for not less than two years after the date the recording was first
21 made available.

22 (b-5) A governmental body described by Subsection (b-1) is
23 exempt from the requirements of Subsections (b-2) and (b-4) if the
24 governmental body's failure to make the required recording of a
25 meeting available is the result of a catastrophe, as defined by
26 Section 551.0411, or a technical breakdown. Following a catastrophe
27 or breakdown, a governmental body must make all reasonable efforts

1 to make the required recording available in a timely manner.

2 (b-6) A governmental body described by Subsection (b-1) may
3 broadcast a regularly scheduled open meeting of the body on
4 television.

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

13 SECTION 2. The changes in law made by this Act apply only to
14 an open meeting held on or after the effective date of this Act. An
15 open meeting held before the effective date of this Act is governed
16 by the law in effect on the date of the open meeting, and the former
17 law is continued in effect for that purpose.

18 SECTION 3. This Act takes effect September 1, 2015.