

By: Fallon

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 county commissioners court, an elected school
13 district board of trustees, or an elected governing body of a
14 home-rule municipality, if the county, school district, or
15 municipality has a population of 50,000 or more, shall:

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

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

22 (b-2) A governmental body described by Subsection (b-1) may
23 make available the archived recording of a meeting required by
24 Subsection (b-1) on an existing Internet site, including a publicly

1 accessible video-sharing or social networking site. The
2 governmental body is not required to establish a separate Internet
3 site and provide access to archived recordings of meetings from
4 that site.

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

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

10 (2) an accessible link to the archived recording of
11 each such meeting.

12 (b-4) A governmental body described by Subsection (b-1)
13 shall:

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

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

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

27 (b-6) A governmental body described by Subsection (b-1) may

1 broadcast a regularly scheduled open meeting of the body on
2 television.

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

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

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