

## **BILL ANALYSIS**

S.B. 115  
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Government Transparency & Operation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties suggest that it is often too difficult, expensive, and time-consuming for average citizens to attend the open meetings held by state agencies and assert that the state should do more to make these meetings publicly accessible. S.B. 115 seeks to address this issue by increasing transparency and civic engagement.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 115 amends the Government Code to require a governmental body to broadcast over the Internet live video and audio of each open meeting of the governmental body and to provide access to the broadcast on the governmental body's website. The bill's provisions apply only to a governmental body that is an agency within the executive or legislative branch of state government to which the total appropriation made in the General Appropriations Act from general revenue for any fiscal year beginning on or after September 1, 2017, including any amount of general revenue transferred to the governmental body under that act for that fiscal year, is greater than \$40 million and for which the bill pattern for that act for the same fiscal year designates 250 or more full-time employees. The bill requires a governmental body that becomes subject to the bill for a fiscal year to comply with the bill's provisions in each following fiscal year. The bill requires the governmental body, not later than the seventh day after the date an open meeting is broadcast, to make available through the governmental body's website archived video and audio of the open meeting and requires the body to maintain the archived video and audio of the open meeting on the body's website until the second anniversary of the date the archived video and audio was first made available on the website. The bill requires the governmental body to provide on the body's website the same notice of the open meeting that the governmental body is required to post under meeting notice provisions of state open meetings law and requires that the notice be posted on that website within the same time required for posting notice under those provisions. The bill authorizes the governmental body to use for an Internet broadcast of an open meeting of the governmental body a room made available to the governmental body on request in any building owned or occupied by the state. The bill requires the governmental body to consider contracting through competitive bidding with a private individual or entity to broadcast and archive an open meeting subject to the bill's provisions to minimize the cost of compliance.

S.B. 115 exempts a governmental body from the bill's provisions to the extent a technical breakdown or a condition or occurrence that interferes physically with the ability of a governmental body to conduct a meeting prevents the governmental body from complying with those provisions. The bill requires the governmental body, following the technical breakdown or condition or occurrence, to make all reasonable efforts to make the required video and audio of the open meeting available in a timely manner. The bill's provisions apply only to an open meeting held on or after September 1, 2019.

**EFFECTIVE DATE**

September 1, 2017.