

By: Dale

H.B. No. 3047

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Section 551.127, Government Code, as amended by
Chapters 159 (S.B. 984) and 685 (H.B. 2414), Acts of the 83rd
Legislature, Regular Session, 2013, is reenacted and amended to
read as follows:

Sec. 551.127. VIDEOCONFERENCE CALL. (a) Except as
otherwise provided by this section, this chapter does not prohibit
a governmental body from holding an open or closed meeting by
videoconference call.

(a-1) A member or employee of a governmental body may
participate remotely in a meeting of the governmental body by means
of a videoconference call if the video and audio feed of the
member's or employee's participation, as applicable, is broadcast
live at the meeting and complies with the provisions of this
section.

(a-2) A member of a governmental body who participates in a
meeting as provided by Subsection (a-1) shall be counted as present
at the meeting for all purposes.

(a-3) A member of a governmental body who participates in a
meeting by videoconference call shall be considered absent from any
portion of the meeting during which audio or video communication

1 with the member is lost or disconnected. The governmental body may
2 continue the meeting only if a quorum of the body remains present at
3 the meeting location or, if applicable, continues to participate in
4 a meeting conducted under Subsection (c).

5 (b) A meeting may be held by videoconference call only if a
6 quorum of the governmental body is physically present at one
7 location of the meeting, except as provided by Subsection (c).

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 of the governmental body
11 presiding over the meeting is physically present at one location of
12 the meeting that is open to the public during the open portions of
13 the meeting.

14 (d) A meeting held by videoconference call is subject to the
15 notice requirements applicable to other meetings in addition to the
16 notice requirements prescribed by this section.

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

1 shall be open to the public during the open portions of the meeting.

2 (f) Each portion of a meeting held by videoconference call
3 that is required to be open to the public shall be visible and
4 audible to the public at the location specified under Subsection
5 (e). If a problem occurs that causes a meeting to no longer be
6 visible and audible to the public at that location, the meeting must
7 be recessed until the problem is resolved. If the problem is not
8 resolved in six hours or less, the meeting must be adjourned.

9 (g) The governmental body shall make at least an audio
10 recording of the meeting. The recording shall be made available to
11 the public.

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

22 (i) The Department of Information Resources by rule shall
23 specify minimum standards for audio and video signals at a meeting
24 held by videoconference call. The quality of the audio and video
25 signals perceptible at each location of the meeting must meet or
26 exceed those standards.

27 (j) The audio and video signals perceptible by members of

1 the public at each location of the meeting described by Subsection
2 (h) must be of sufficient quality so that members of the public at
3 each location can observe the demeanor and hear the voice of each
4 participant in the open portion of the meeting.

5 (k) Without regard to whether a member of the governmental
6 body is participating in a meeting from a remote location by
7 videoconference call, a governmental body may allow a member of the
8 public to testify at a meeting from a remote location by
9 videoconference call.

10 SECTION 2. This Act takes effect September 1, 2017.