

By: Howard

H.B. No. 318

Substitute the following for H.B. No. 318:

By: Deshotel

C.S.H.B. No. 318

A BILL TO BE ENTITLED

AN ACT

relating to the Internet broadcast or audio recording of certain open meetings.

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

SECTION 1. Subchapter B, Chapter 551, Government Code, is amended by adding Sections 551.024 and 551.025 to read as follows:

Sec. 551.024. INTERNET BROADCAST AND ARCHIVE OF OPEN MEETINGS. (a) This section applies 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, 2019, including any amount of general revenue transferred to the governmental body under that Act for that fiscal year, is greater than \$10 million and for which the bill pattern for the General Appropriations Act for the same fiscal year designates 100 or more full-time employees.

(b) A governmental body that becomes subject to this section under Subsection (a) for a fiscal year shall comply with this section in each following fiscal year.

(c) A governmental body subject to this section shall broadcast over the Internet live video and audio of each open meeting of the governmental body. The governmental body shall provide access to the broadcast on the governmental body's Internet website.

1 (d) Not later than the seventh day after the date an open
2 meeting is broadcast under this section, the governmental body
3 shall make available through the governmental body's Internet
4 website archived video and audio of the open meeting. The
5 governmental body shall maintain the archived video and audio of
6 the open meeting on the governmental body's Internet website until
7 the second anniversary of the date the archived video and audio was
8 first made available on the website.

9 (e) The governmental body shall provide on the governmental
10 body's Internet website the same notice of the open meeting that the
11 governmental body is required to post under Subchapter C. The
12 notice must be posted on the governmental body's Internet website
13 within the time required for posting notice under Subchapter C.

14 (f) The governmental body may use for an Internet broadcast
15 of an open meeting of the governmental body a room made available to
16 the governmental body on request in any state building, as defined
17 by Section [2165.301](#).

18 (g) The governmental body is exempt from the requirements of
19 this section to the extent a catastrophe, as defined by Section
20 [551.0411](#), or a technical breakdown prevents the governmental body
21 from complying with this section. Following the catastrophe or
22 technical breakdown, the governmental body shall make all
23 reasonable efforts to make the required video and audio of the open
24 meeting available in a timely manner.

25 (h) The governmental body shall consider contracting
26 through competitive bidding with a private individual or entity to
27 broadcast and archive an open meeting subject to this section to

1 minimize the cost of complying with this section.

2 Sec. 551.025. INTERNET ACCESS TO AUDIO RECORDING OF OPEN
3 MEETING. (a) This section applies only to a governmental body that
4 is an agency within the executive or legislative branch of the state
5 government to which Section 551.024 does not apply.

6 (b) Not later than the seventh day after the date an open
7 meeting is held, a governmental body subject to this section shall
8 make available through the governmental body's Internet website or
9 a social media account associated with the governmental body an
10 audio recording of the open meeting.

11 (c) The governmental body shall provide on the governmental
12 body's Internet website or a social media account associated with
13 the governmental body the same notice of the open meeting that the
14 governmental body is required to post under Subchapter C. The
15 notice must be posted on the governmental body's Internet website
16 or a social media account associated with the governmental body
17 within the time required for posting notice under Subchapter C.

18 (d) The governmental body is exempt from the requirements of
19 this section to the extent a catastrophe, as defined by Section
20 551.0411, or a technical breakdown prevents the governmental body
21 from complying with this section. Following the catastrophe or
22 technical breakdown, the governmental body shall make all
23 reasonable efforts to make the required audio recording of the open
24 meeting available in a timely manner.

25 SECTION 2. Sections 551.024 and 551.025, Government Code,
26 as added by this Act, apply only to an open meeting held on or after
27 September 1, 2021.

1 SECTION 3. This Act takes effect September 1, 2019.