

By: Toth

H.B. No. 2965

A BILL TO BE ENTITLED

AN ACT

relating to changing the elements of an offense for certain open meetings requirements for a member of a governmental body.

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

SECTION 1. Sec. 551.143(a), Government Code, is amended to read as follows:

Sec. 551.143. CIRCUMVENTION OF [~~CONSPIRACY TO CIRCUMVENT~~] CHAPTER; OFFENSE; PENALTY. (a) A member [~~or group of members~~] of a governmental body commits an offense if the member outside of a meeting knowingly engages directly or indirectly in a series of verbal or written communications with other members of the governmental body without a quorum present regarding a tacit or explicit agreement to act uniformly in sufficient number to constitute a quorum concerning: [~~or group of members knowingly conspires to circumvent this chapter by meeting in numbers less than a quorum for the purpose of secret deliberations in violation of this chapter.~~]

(1) an issue within the jurisdiction of the governmental body; or

(2) any public business.

(b) An offense under Subsection (a) is a misdemeanor punishable by:

(1) a fine of not less than \$100 or more than \$500;

(2) confinement in the county jail for not less than

1 one month or more than six months; or

2 (3) both the fine and confinement.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2019.