

By: Canales

H.B. No. 2683

A BILL TO BE ENTITLED

AN ACT

relating to requirements for open meetings that are broadcast over the Internet or held by telephone conference or videoconference call.

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

SECTION 1. Subchapter A, Chapter 551, Government Code, is amended by adding Section 551.008 to read as follows:

Sec. 551.008. PUBLIC ACCESS TO CERTAIN MEETINGS. (a) This section applies only to an open meeting of a governmental body that:

(1) is held wholly or partly by:

(A) telephone conference call; or

(B) videoconference call;

(2) is broadcast live over the Internet; or

(3) uses a combination of those methods.

(b) The requirements prescribed by this section are in addition to other requirements of law applicable to an open meeting. Except as provided by this section, this section prevails to the extent of a conflict with another provision of law.

(c) A governmental body shall ensure that members of the public are able to listen to and, if applicable, speak at an open meeting to which this section applies by telephone.

(d) A governmental body that holds an open meeting to which this section applies shall:

(1) make the open meeting audible to the public by

telephone and at each location described by Subsection (e)(2);

(2) if the meeting is broadcast live over the Internet or held wholly or partly by videoconference call, provide public access to both audiovisual and audio-only feeds of the open meeting over the Internet; and

(3) if applicable, allow members of the public to address the governmental body as provided by Section 551.007:

(A) by telephone; and

(B) by videoconference call if the meeting is held wholly or partly by videoconference call.

(e) The notice of an open meeting to which this section applies must:

(1) comply with the terms of Chapter 551;

(2) list each physical location where a member of the public may observe and participate in the meeting, including:

(A) any location that is open to the public where a member of the governmental body intends to participate in the meeting; and

(B) any facility provided by the governmental body for a member of the public to observe or speak at the meeting;

(3) include a toll free telephone number that members of the public may use to hear and, if applicable, speak at the meeting;

(4) include access information for any audiovisual or audio-only feeds required by Subsection (d)(2); and

(5) include instructions for a member of the public to speak at the meeting:

1 (A) from a remote location; or

2 (B) while physically present at a location
3 described by Subdivision (2).

4 (f) An open meeting to which this section applies shall be
5 recorded. Except as otherwise provided by law, the recording shall
6 be made available to the public not later than 24 hours after the
7 adjourning of the meeting.

8 SECTION 2. Section 551.041(a), Government Code, is amended
9 to read as follows:

10 (a) A governmental body shall give written notice of the
11 date, hour, place, and subject of each meeting held by the
12 governmental body. Such notice shall include the subjects to be
13 considered in an open meeting and in a closed executive session,
14 indicating whether a subject will be discussed in an open or closed
15 session so that the public is aware of the subjects for public
16 deliberation.

17 SECTION 3. Sections 551.128(b) and (c), Government Code,
18 are amended to read as follows:

19 (b) Except as provided by Subsection (b-1) and subject to
20 the requirements of this section, a governmental body may broadcast
21 an open meeting over the Internet. A governmental body shall
22 broadcast an open meeting over the Internet if the physical
23 location of the meeting is not accessible to members of the public
24 or is not large enough to accommodate all persons seeking to attend
25 the meeting in person, including if the location has reduced
26 capacity as the result of a public emergency or disaster.

27 (c) Except as provided by Subsection (b-2), a governmental

1 body that broadcasts a meeting over the Internet shall establish an
2 Internet site and provide free and open access for members of the
3 public to the broadcast from that site. The governmental body shall
4 provide on the Internet site the same notice of the meeting that the
5 governmental body is required to post under Subchapter C. The
6 notice on the Internet must be posted within the time required for
7 posting notice under Subchapter C.

8 SECTION 4. The changes in law made by this Act apply only to
9 a meeting of a governmental body held on or after the effective date
10 of this Act.

11 SECTION 5. This Act takes effect September 1, 2021.