

By: Bonnen

H.B. No. 4085

A BILL TO BE ENTITLED

AN ACT

relating to certain meetings of a commissioners court during a disaster or emergency.

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

SECTION 1. Subchapter D, Chapter 551, Government Code, is amended by adding Section 551.091 to read as follows:

Sec. 551.091. COMMISSIONERS COURTS: DELIBERATION REGARDING DISASTER OR EMERGENCY. (a) This section applies only to the commissioners court of a county:

(1) for which the governor has issued an executive order or proclamation declaring a state of disaster or a state of emergency; and

(2) in which transportation to the meeting location is dangerous or difficult as a result of the disaster or emergency.

(b) Notwithstanding any other provision of this chapter and subject to Subsection (c), a commissioners court to which this section applies may hold an open or closed meeting, including a telephone conference call, solely to deliberate about disaster or emergency conditions and related public safety matters that require an immediate response without complying with the requirements of this chapter, including the requirement to provide notice before the meeting or to first convene in an open meeting.

(c) To the extent practicable under the circumstances, the commissioners court shall provide reasonable public notice of a

1 meeting under this section and if the meeting is an open meeting
2 allow members of the public and the press to observe the meeting.

3 (d) The commissioners court:

4 (1) may not vote or take final action on a matter
5 during a meeting under this section; and

6 (2) shall prepare and keep minutes or a recording of a
7 meeting under this section and make the minutes or recording
8 available to the public as soon as practicable.

9 (e) This section expires September 1, 2027.

10 SECTION 2. This Act takes effect September 1, 2021.