

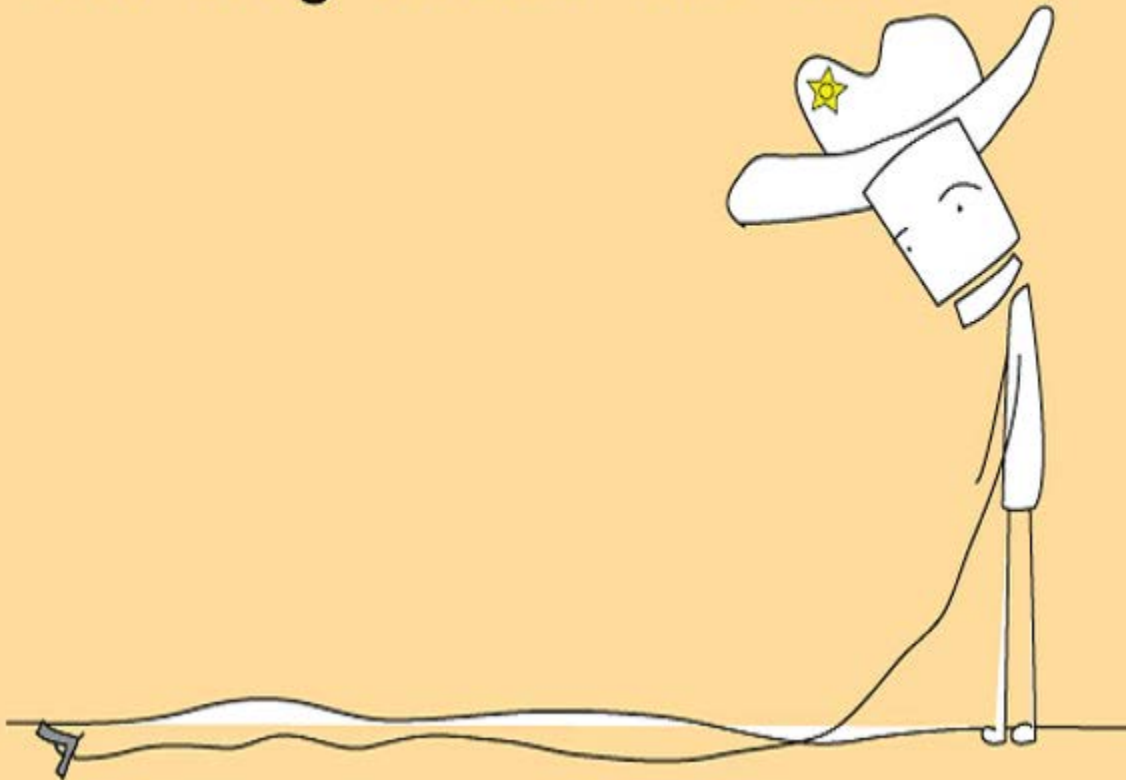
The background of the slide features the official seal of the City of Austin, Texas. The seal is circular and rendered in a light blue, semi-transparent color. It contains the text "CITY OF AUSTIN TEXAS" around the perimeter. In the center is a shield with a white map of Texas on a blue background. Above the shield is a crest featuring a cross and two wings. The text "Texas Open Meetings Act" is overlaid in the center of the seal in a bold, black, sans-serif font.

Texas Open Meetings Act

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What is it?

the long arm of the law.



Who does it apply to?



- A **governmental body as expressly defined** in the Act
 - Example: Austin City Council
- Entities **required by other law** to comply with the Act
 - Example: Local Government Corporations
- City of Austin **boards and commissions**

What does it say?

- A *meeting* occurs when:
 1. A *quorum* of a governmental body gathers;
 2. the *public business* that the governmental body has authority to supervise or oversee is *discussed*; and
 3. a *member* of the governmental body *participates in the discussion*.

Definition Two

- If the gathering is *called by the governmental body*, or the *governmental body is responsible for* the gathering, a *meeting* occurs when:
 1. A *quorum* of a governmental body gathers;
 2. the *public business* that the governmental body has authority to supervise or oversee is *discussed*; and
 3. the members *receive information from, give information to, ask questions of, or receive questions from any third person*, including an employee of the governmental body.



2013: H.B. 2414 & S.B. 984

- Both bills contained provisions of Government Code 551.127:

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.

2017: H.B. 3047

- “Reenacted and amended,” which meant removing one of the subsection (c) provisions.

(c) A meeting of a state governmental body or a governmental body that extends into three or more counties may be held by videoconference call only if the member of the governmental body presiding over the meeting is physically present at one location of the meeting that is open to the public during the open portions of the meeting.

Boards & Commissions

§2-1-43 Meeting Requirements

(B) Each board shall comply with Government Code Chapter 551 (*Open Meetings Act*). All members necessary to provide a quorum must be **physically present** at a meeting to conduct business

551.127 Requirements

1. A quorum must be physically present at a location that is open to the public. *(b)*
2. The video and audio feed of a remotely-participating member must be broadcast live at the meeting. *(a-1)*
3. Notice of meeting must specify where the quorum will be physically present and specify the intent to have a quorum present at that location. *(e)*
4. Each portion of the meeting held by videoconference call that is required to be open to the public must be visible and audible to the public at the location where the quorum is present. *(f)*

Requirements cont'd

5. The location where the quorum is present and each remote location from which a member participates must have two-way audio and video communication with each other location during the entire meeting. *(h)*
6. Each participant's face in the videoconference call, while speaking, must be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the location where a quorum is present, and at any other location of the meeting that is open to the public. *(h)*
7. At least an audio recording of the meeting must be made, and the recording must be made available to the public. *(g)*

Requirements cont'd

8. The audio and video signals perceptible by members of the public at the location where the quorum is present, and any other location open to the public, must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the meeting. *(j)*

9. If a problem occurs that causes a member participating remotely to no longer be visible and audible to the public at the location where a quorum is present, the body may recess the meeting until the problem is resolved. If the problem is not resolved in six hours or less, the meeting may be adjourned. If the body chooses not to recess the meeting, then the member no longer visible and audible will be considered absent. *(f); (a-3)*

DIR Rules

10. The audio and video signals perceptible by members of the public at each location of the meeting open to the public must meet or exceed minimum standards established by Texas Department of Information (DIR) rules. *(i)*

<http://publishingext.dir.texas.gov/portal/internal/resources/DocumentLibrary/Videoconferencing%20Guidelines.pdf>

QUESTIONS?

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