

1 **SENATE FLOOR VERSION**

2 April 7, 2015

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1725

6 By: Osborn and Perryman of the
7 House

8 and

9 Sykes of the Senate

10 [Oklahoma Open Meeting Act - expanding permissible
11 executive sessions - effective date]

12 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

13 SECTION 1. AMENDATORY 25 O.S. 2011, Section 304, is
14 amended to read as follows:

15 Section 304. As used in the Oklahoma Open Meeting Act:

16 1. "Public body" means the governing bodies of all
17 municipalities located within this state, boards of county
18 commissioners of the counties in this state, boards of public and
19 higher education in this state and all boards, bureaus, commissions,
20 agencies, trusteeships, authorities, councils, committees, public
21 trusts or any entity created by a public trust, including any
22 committee or subcommittee composed of any of the members of a public
23 trust or other legal entity receiving funds from the Rural Economic
24 Action Plan Fund as authorized by Section 2007 of Title 62 of the

1 Oklahoma Statutes, task forces or study groups in this state
2 supported in whole or in part by public funds or entrusted with the
3 expending of public funds, or administering public property, and
4 shall include all committees or subcommittees of any public body.
5 Public body shall not include the state judiciary, the Council on
6 Judicial Complaints when conducting, discussing, or deliberating any
7 matter relating to a complaint received or filed with the Council,
8 the Workers' Compensation Commission, when deliberating any appeal
9 before the Commission en banc, the Legislature, or administrative
10 staffs of public bodies, including, but not limited to, faculty
11 meetings and athletic staff meetings of institutions of higher
12 education when those staffs are not meeting with the public body, or
13 entry-year assistance committees. Furthermore, public body shall
14 not include the multidisciplinary team provided for in subsection C
15 of Section 1-502.2 of Title 63 of the Oklahoma Statutes or any
16 school board meeting for the sole purpose of considering
17 recommendations of a multidisciplinary team and deciding the
18 placement of any child who is the subject of the recommendations.
19 Furthermore, public body shall not include meetings conducted by
20 stewards designated by the Oklahoma Horse Racing Commission pursuant
21 to Section 203.4 of Title 3A of the Oklahoma Statutes when the
22 stewards are officiating at races or otherwise enforcing rules of
23 the Commission;

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1 2. "Meeting" means the conduct of business of a public body by
2 a majority of its members being personally together or, as
3 authorized by Section 307.1 of this title, together pursuant to a
4 videoconference. Meeting shall not include informal gatherings of a
5 majority of the members of the public body when no business of the
6 public body is discussed, or in-state education or training programs
7 or seminars attended by a majority of the members of the public body
8 when no decision is made pertaining to the business of the public
9 body;

10 3. "Regularly scheduled meeting" means a meeting at which the
11 regular business of the public body is conducted;

12 4. "Special meeting" means any meeting of a public body other
13 than a regularly scheduled meeting or emergency meeting;

14 5. "Emergency meeting" means any meeting called for the purpose
15 of dealing with an emergency. For purposes of the Oklahoma Open
16 Meeting Act, an emergency is defined as a situation involving injury
17 to persons or injury and damage to public or personal property or
18 immediate financial loss when the time requirements for public
19 notice of a special meeting would make such procedure impractical
20 and increase the likelihood of injury or damage or immediate
21 financial loss;

22 6. "Continued or reconvened meeting" means a meeting which is
23 assembled for the purpose of finishing business appearing on an
24 agenda of a previous meeting. For the purposes of the Oklahoma Open

1 Meeting Act, only matters on the agenda of the previous meeting at
2 which the announcement of the continuance is made may be discussed
3 at a continued or reconvened meeting; and

4 7. "Videoconference" means a conference among members of a
5 public body remote from one another who are linked by interactive
6 telecommunication devices permitting both visual and auditory
7 communication between and among members of the public body and
8 members of the public. During any videoconference both the visual
9 and auditory communications functions of the device shall be
10 utilized. Whenever the term "teleconference" appears in any law in
11 relation to a meeting of a public body, it shall be deemed to mean a
12 videoconference as defined in this paragraph.

13 SECTION 2. This act shall become effective November 1, 2015.

14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
15 April 7, 2015 - DO PASS AS AMENDED

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