

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2301

By: Kannady

4
5
6 AS INTRODUCED

7 An Act relating to public meetings; amending 25 O.S.
8 2011, Section 304, which relates to the Oklahoma Open
9 Meeting Act; modifying definition of a public body;
10 and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

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

24

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;

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

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

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

19 6. "Continued or reconvened meeting" means a meeting which is
20 assembled for the purpose of finishing business appearing on an
21 agenda of a previous meeting. For ~~the~~ purposes of the Oklahoma Open
22 Meeting Act, only matters on the agenda of the previous meeting at
23 which the announcement of the continuance is made may be discussed
24 at a continued or reconvened meeting; and

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

10 SECTION 2. This act shall become effective November 1, 2016.

11

12 55-2-7743 KB 12/16/15

13

14

15

16

17

18

19

20

21

22

23

24