

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 3415

By: Pae and Phillips of the
House

4 and

5 Howard of the Senate

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7
8 An Act relating to the Oklahoma Open Meeting Act;
9 amending 25 O.S. 2021, Sections 304 and 307.1, which
10 relate to authorized methods for conducting meetings;
11 modifying definitions; modifying provisions related
12 to videoconferences; prescribing procedures related
13 to the conduct of meetings by electronic methods;
14 providing certain exceptions; prohibiting certain
15 electronic communications during public meetings;
16 providing for suspension of ability to achieve quorum
17 by electronic means under certain conditions;
18 imposing time limit; providing for ratification by
19 public body; and providing an effective date.

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22 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
23 entire bill and insert

24
"An Act relating to the Oklahoma Open Meeting Act;
amending 25 O.S. 2021, Sections 307.1 and 311, which
relate to videoconferences and teleconferences and
notice; requiring live stream of certain meetings;
requiring maintenance of certain video by public body
for certain period; authorizing certain alternate
meeting procedures during emergency declaration;
specifying expiration of alternate meeting
procedures; modifying certain notice requirement in
emergency circumstances; and declaring an emergency.

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

2 SECTION 1. AMENDATORY 25 O.S. 2021, Section 307.1, is
3 amended to read as follows:

4 Section 307.1. A. Except as provided in subsections C and D of
5 this section, a public body may hold meetings by videoconference
6 where each member of the public body is visible and audible to each
7 other and the public through a video monitor, subject to the
8 following:

- 9 1. a. except as provided for in subparagraph b of this
10 paragraph, no less than a quorum of the public body
11 shall be present in person at the meeting site as
12 posted on the meeting notice and agenda,
- 13 b. a virtual charter school approved and sponsored by the
14 Statewide Virtual Charter School Board pursuant to the
15 provisions of Section 3-145.3 of Title 70 of the
16 Oklahoma Statutes shall maintain a quorum of members
17 for the entire duration of the meeting whether using
18 an in-person site, videoconference sites or any
19 combination of such sites to achieve a quorum~~7~~1 and
- 20 c. each public meeting held by videoconference or
21 teleconference shall be recorded either by written,
22 electronic, or other means;

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1 2. The meeting notice and agenda prepared in advance of the
2 meeting, as required by law, shall indicate if the meeting will
3 include videoconferencing locations and shall state:

4 a. the location, address, and telephone number of each
5 available videoconference site, and

6 b. the identity of each member of the public body and the
7 specific site from which each member of the body shall
8 be physically present and participating in the
9 meeting;

10 3. After the meeting notice and agenda are prepared and posted,
11 as required by law, no member of the public body shall be allowed to
12 participate in the meeting from any location other than the specific
13 location posted on the agenda in advance of the meeting;

14 4. In order to allow the public the maximum opportunity to
15 attend and observe each public official carrying out the duties of
16 the public official, a member or members of a public body desiring
17 to participate in a meeting by videoconference shall participate in
18 the videoconference from a site and room located within the district
19 or political subdivision from which they are elected, appointed, or
20 are sworn to represent;

21 5. Each site and room where a member of the public body is
22 present for a meeting by videoconference shall be open and
23 accessible to the public, and the public shall be allowed into that
24 site and room. Public bodies may provide additional videoconference

1 sites as a convenience to the public, but additional sites shall not
2 be used to exclude or discourage public attendance at any
3 videoconference site;

4 6. The public shall be allowed to participate and speak, as
5 allowed by rule or policy set by the public body, in a meeting at
6 the videoconference site in the same manner and to the same extent
7 as the public is allowed to participate or speak at the site of the
8 meeting;

9 7. Any materials shared electronically between members of the
10 public body, before or during the videoconference, shall also be
11 immediately available to the public in the same form and manner as
12 shared with members of the public body; ~~and~~

13 8. All votes occurring during any meeting conducted using
14 videoconferencing shall occur and be recorded by roll call vote; and

15 9. To the extent practicable, if a public body maintains a
16 website and has immediate access to a high-speed Internet
17 connection, such meetings of the public body shall be streamed live
18 on the website. Video of such meetings shall be maintained by the
19 public body and available to the public until minutes are made
20 available for inspection by the public as required by Section 312 of
21 this title.

22 B. ~~No~~ Except as provided in subsection D of this section, no
23 public body shall conduct an executive session by videoconference.

24

1 C. ~~Upon the effective date of this act and until February 15,~~
2 ~~2022, or until thirty (30) days after the expiration or termination~~
3 ~~of the state of emergency declared by the Governor to respond to the~~
4 ~~threat of COVID-19 to the people of this state and the public's~~
5 ~~peace, health and safety, whichever date first occurs, the The~~
6 ~~provisions of this subsection and subsection D of this section shall~~
7 ~~operate as law in this state apply to a public body in any county in~~
8 ~~which the Governor or board of county commissioners has declared a~~
9 ~~state of emergency until the emergency declaration expires or is~~
10 ~~terminated.~~

11 1. A public body may hold meetings by teleconference or
12 videoconference if each member of the public body is audible or
13 visible to each other and the public, subject to the following:

14 a. for a virtual charter school approved and sponsored by
15 the Statewide Virtual Charter School Board pursuant to
16 the provisions of the Oklahoma Statutes, the public
17 body shall maintain a quorum of members for the entire
18 duration of the meeting whether using an in-person
19 site, teleconference, or videoconference or any
20 combination of such sites to achieve a quorum, and

21 b. if the meeting is held using either teleconference or
22 videoconference capabilities, and at any time the
23 audio connection is disconnected, the meeting shall be
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1 stopped and reconvened once the audio connection is
2 restored;

3 2. The meeting notice and agenda prepared in advance of the
4 meeting, as required by law, shall indicate if the meeting will
5 include teleconferencing or videoconferencing and shall also state:

6 a. each public body member appearing remotely and the
7 method of each member's remote appearance, and

8 b. the identity of the public body member or members who
9 will be physically present at the meeting site, if
10 any;

11 3. After the meeting notice and agenda are prepared and posted
12 as required by law, public body members shall not be permitted to
13 alter their method of attendance; provided, however, those members
14 who were identified as appearing remotely may be permitted to
15 physically appear at the meeting site, if any, for the meeting;

16 4. The public body shall be allowed to participate and speak,
17 as allowed by rule or policy set by the public body, in a meeting
18 which utilizes teleconference or videoconference in the same manner
19 and to the same extent as the public is allowed to participate or
20 speak during a meeting where all public body members are physically
21 present together at the meeting site;

22 5. Any documents or other materials provided to members of the
23 public body or shared electronically between members of the public
24 body during a meeting utilizing teleconferencing or

1 videoconferencing shall also be immediately available to the public
2 on the website of the public body, if the public body maintains a
3 website; and

4 6. All votes occurring during any meeting utilizing
5 teleconference or videoconference shall occur and be recorded by
6 roll call votes.

7 D. Public bodies ~~are permitted to~~ may conduct an executive
8 session by teleconference or videoconference in any county in which
9 the Governor or the board of county commissioners has declared a
10 state of emergency until the emergency declaration expires or is
11 terminated. For such executive sessions, no public body member is
12 required to be physically present so long as each public body member
13 is audible or visible to each other. The meeting notice and agenda
14 prepared in advance of the meeting as required by law shall indicate
15 if the executive session will include teleconferencing or
16 videoconferencing and shall also state the identity of each public
17 body member appearing remotely, the method of each member's remote
18 appearance, and whether any member will be physically present at the
19 meeting site, if any, for the executive session.

20 SECTION 2. AMENDATORY 25 O.S. 2021, Section 311, is
21 amended to read as follows:

22 Section 311. A. Notwithstanding any other provisions of law,
23 all regularly scheduled, continued or reconvened, special or
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1 emergency meetings of public bodies shall be preceded by public
2 notice as follows:

3 1. All public bodies shall give notice in writing by December
4 15 of each calendar year of the schedule showing the date, time and
5 place of the regularly scheduled meetings of such public bodies for
6 the following calendar year;

7 2. All state public bodies including, but not limited to,
8 public trusts and other bodies with the state as beneficiary, shall
9 give such notice to the Secretary of State;

10 3. All county public bodies including, but not limited to,
11 public trusts and any other bodies with the county as beneficiary,
12 shall give such notice to the county clerk of the county wherein
13 they are principally located;

14 4. All municipal public bodies including, but not limited to,
15 public trusts and any other bodies with the municipality as
16 beneficiary, shall give such notice to the municipal clerk of the
17 municipality wherein they are principally located;

18 5. All multicounty, regional, areawide or district public
19 bodies including, but not limited to, district boards of education,
20 shall give such notice to the county clerk of the county wherein
21 they are principally located, or if no office exists, to the county
22 clerk of the county or counties served by such public body;

23 6. All governing boards of state institutions of higher
24 education, and committees and subcommittees thereof, shall give such

1 notice to the Secretary of State. All other public bodies covered
2 by the provisions of the Oklahoma Open Meeting Act which exist under
3 the auspices of a state institution of higher education, but a
4 majority of whose members are not members of the institution's
5 governing board, shall give such notice to the county clerk of the
6 county wherein the institution is principally located;

7 7. The Secretary of State and each county clerk or municipal
8 clerk shall keep a record of all notices received in a register open
9 to the public for inspection during regular office hours, and, in
10 addition, shall make known upon any request of any person the
11 contents of the register;

12 8. If any change is to be made of the date, time or place of
13 regularly scheduled meetings of public bodies, then notice in
14 writing shall be given to the Secretary of State or county clerk or
15 municipal clerk, as required herein, not less than ten (10) days
16 prior to the implementation of any such change;

17 9. In addition to the advance public notice in writing required
18 to be filed for regularly scheduled meetings, described in paragraph
19 1 of this subsection, all public bodies shall, at least twenty-four
20 (24) hours prior to such regularly scheduled meetings, display
21 public notice of the meeting by at least one of the following
22 methods:

23 a. by posting information that includes date, time, place
24 and agenda for the meeting in prominent public view at

1 the principal office of the public body or at the
2 location of the meeting if no office exists, ~~or~~
3 b. by posting on the public body's Internet website the
4 date, time, place and agenda for the meeting in
5 accordance with Section 3106.2 of Title 74 of the
6 Oklahoma Statutes. Additionally, the public body
7 shall offer and consistently maintain an email
8 distribution system for distribution of such notice of
9 a public meeting required by this subsection, and any
10 person may request to be included without charge, and
11 their request shall be accepted. The emailed notice
12 of a public meeting required by this subsection shall
13 include in the body of the email or as an attachment
14 to the email the date, time, place and agenda for the
15 meeting and it shall be sent no less than twenty-four
16 (24) hours prior to the meeting. Additionally, except
17 as provided in subparagraph c of this paragraph, the
18 public body shall make the notice of a public meeting
19 required by this subsection available to the public in
20 the principal office of the public body or at the
21 location of the meeting during normal business hours
22 at least twenty-four (24) hours prior to the meeting,
23 or
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1 c. ~~upon the effective date of this act and until February~~
2 ~~15, 2022, or until thirty (30) days after the~~
3 ~~expiration or termination of the state of emergency~~
4 ~~declared by the Governor to respond to the threat of~~
5 ~~COVID-19 to the people of this state and the public's~~
6 ~~peace, health and safety, whichever date first occurs~~
7 for a public body in any county in which the Governor
8 or board of county commissioners has declared a state
9 of emergency until the emergency declaration expires
10 or is terminated, the public body shall not be
11 required to make the notice of a public meeting
12 available to the public in the principal office of the
13 public body or at the location of the meeting during
14 normal business hours at least twenty-four (24) hours
15 prior to the meeting;

16 10. The twenty-four (24) hours required in paragraph 9 of this
17 subsection shall exclude Saturdays, Sundays and holidays legally
18 declared by the State of Oklahoma. The posting or distribution of a
19 notice of a public meeting as described in paragraph 9 of this
20 subsection shall not preclude a public body from considering at its
21 regularly scheduled meeting any new business. "New business", as
22 used herein, shall mean any matter not known about or which could
23 not have been reasonably foreseen prior to the time of the posting;

1 11. In the event any meeting is to be continued or reconvened,
2 public notice of such action including date, time and place of the
3 continued meeting, shall be given by announcement at the original
4 meeting. Only matters appearing on the agenda of the meeting which
5 is continued may be discussed at the continued or reconvened
6 meeting;

7 12. Special meetings of public bodies shall not be held without
8 public notice being given at least forty-eight (48) hours prior to
9 the meetings. Such public notice of date, time and place shall be
10 given in writing, in person or by telephonic means to the Secretary
11 of State or to the county clerk or to the municipal clerk by public
12 bodies in the manner set forth in paragraphs 2, 3, 4, 5 and 6 of
13 this subsection. The public body also shall cause written notice of
14 the date, time and place of the meeting to be mailed or delivered to
15 each person, newspaper, wire service, radio station and television
16 station that has filed a written request for notice of meetings of
17 the public body with the clerk or secretary of the public body or
18 with some other person designated by the public body. Such written
19 notice shall be mailed or delivered at least forty-eight (48) hours
20 prior to the special meeting. The public body may charge a fee of
21 up to Eighteen Dollars (\$18.00) per year to persons or entities
22 filing a written request for notice of meetings, and may require
23 such persons or entities to renew the request for notice annually.
24 In addition, all public bodies shall, at least twenty-four (24)

1 hours prior to such special meetings, display public notice of the
2 meeting, setting forth thereon the date, time, place and agenda for
3 the meeting. Only matters appearing on the posted agenda may be
4 considered at the special meeting. Such public notice shall be
5 posted in prominent public view at the principal office of the
6 public body or at the location of the meeting if no office exists.
7 Twenty-four (24) hours prior public posting shall exclude Saturdays,
8 Sundays and holidays legally declared by the State of Oklahoma. In
9 lieu of the public posting requirements of this paragraph, a public
10 body may elect to follow the requirements found in subparagraph b of
11 paragraph 9 of this subsection, provided that forty-eight-hour
12 notice is required for special meetings and that the forty-eight-
13 hour requirement shall exclude Saturdays, Sundays and holidays
14 legally declared by the State of Oklahoma;

15 13. In the event of an emergency, an emergency meeting of a
16 public body may be held without the public notice heretofore
17 required. Should an emergency meeting of a public body be
18 necessary, the person calling such a meeting shall give as much
19 advance public notice as is reasonable and possible under the
20 circumstances existing, in person or by telephonic or electronic
21 means; and

22 14. A public body that gives public notice of a meeting for
23 which there will be a videoconference option in accordance with
24 Section 307.1 of this title shall not modify the method of meeting

1 described in the notice prior to the meeting and shall conduct the
2 meeting according to the methods described in the notice. If a code
3 or password is required to access the videoconference meeting, the
4 code or password shall be included in the public notice.

5 B. 1. All agendas required pursuant to the provisions of this
6 section shall identify all items of business to be transacted by a
7 public body at a meeting including, but not limited to, any proposed
8 executive session for the purpose of engaging in deliberations or
9 rendering a final or intermediate decision in an individual
10 proceeding prescribed by the Administrative Procedures Act.

11 2. If a public body proposes to conduct an executive session,
12 the agenda shall:

- 13 a. contain sufficient information for the public to
- 14 ascertain that an executive session will be proposed,
- 15 b. identify the items of business and purposes of the
- 16 executive session, and
- 17 c. state specifically the provision of Section 307 of
- 18 this title authorizing the executive session.

19 SECTION 3. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.”

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1 Passed the Senate the 27th day of April, 2022.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2022.

7
8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 3415

By: Pae and Phillips of the
House

3 and

4 Howard of the Senate
5
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7 An Act relating to the Oklahoma Open Meeting Act;
8 amending 25 O.S. 2021, Sections 304 and 307.1, which
9 relate to authorized methods for conducting meetings;
10 modifying definitions; modifying provisions related
11 to videoconferences; prescribing procedures related
12 to the conduct of meetings by electronic methods;
13 providing certain exceptions; prohibiting certain
14 electronic communications during public meetings;
15 providing for suspension of ability to achieve quorum
16 by electronic means under certain conditions;
17 imposing time limit; providing for ratification by
18 public body; and providing an effective date.

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

20 SECTION 4. AMENDATORY 25 O.S. 2021, Section 304, is
21 amended to read as follows:

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

23 1. "Public body" means the governing bodies of all
24 municipalities located within this state, boards of county
commissioners of the counties in this state, boards of public and
higher education in this state and all boards, bureaus, commissions,
agencies, trusteeships, authorities, councils, committees, public
trusts or any entity created by a public trust, including any

1 committee or subcommittee composed of any of the members of a public
2 trust or other legal entity receiving funds from the Rural Economic
3 Action Plan Fund as authorized by Section 2007 of Title 62 of the
4 Oklahoma Statutes, task forces or study groups in this state
5 supported in whole or in part by public funds or entrusted with the
6 expending of public funds, or administering public property, and
7 shall include all committees or subcommittees of any public body.
8 Public body shall not include the state judiciary, the Council on
9 Judicial Complaints when conducting, discussing, or deliberating any
10 matter relating to a complaint received or filed with the Council,
11 the Legislature, or administrative staffs of public bodies,
12 including, but not limited to, faculty meetings and athletic staff
13 meetings of institutions of higher education when those staffs are
14 not meeting with the public body, or entry-year assistance
15 committees. Furthermore, public body shall not include the
16 multidisciplinary teams provided for in Section 1-9-102 of Title 10A
17 of the Oklahoma Statutes and subsection C of Section 1-502.2 of
18 Title 63 of the Oklahoma Statutes or any school board meeting for
19 the sole purpose of considering recommendations of a
20 multidisciplinary team and deciding the placement of any child who
21 is the subject of the recommendations. Furthermore, public body
22 shall not include meetings conducted by stewards designated by the
23 Oklahoma Horse Racing Commission pursuant to Section 203.4 of Title
24 3A of the Oklahoma Statutes when the stewards are officiating at

1 races or otherwise enforcing rules of the Commission. Furthermore,
2 public body shall not include the board of directors of a Federally
3 Qualified Health Center;

4 2. "Meeting" means the conduct of business of a public body by
5 a majority of its members being personally together or, as
6 authorized by Section 307.1 of this title, together pursuant to a
7 videoconference. Meeting shall not include informal gatherings of a
8 majority of the members of the public body when no business of the
9 public body is discussed;

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 or a public health emergency;

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;

4 7. "Public health emergency" means a situation where the
5 circumstances lead state or local elected officials, as applicable
6 in this act, to determine a risk of substantial death or harm to the
7 human population of the state or a particular applicable political
8 subdivision;

9 8. "Videoconference" means a conference among members of a
10 public body remote from one another who are linked by interactive
11 telecommunication devices or technology and/or technology permitting
12 both visual and auditory communication between and among members of
13 the public body and/or between and among members of the public body
14 and members of the public. During any videoconference, both the
15 visual and auditory communications functions shall attempt to be
16 utilized and public comment as outlined in this section; and

17 ~~8.~~ 9. "Teleconference" means a conference among members of a
18 public body remote from one another who are linked by
19 telecommunication devices and/or technology permitting auditory
20 communication between and among members of the public body and/or
21 between and among members of the public body and members of the
22 public and public comment as outlined in this section.

23 SECTION 5. AMENDATORY 25 O.S. 2021, Section 307.1, is
24 amended to read as follows:

1 Section 307.1 ~~A. Except as provided in subsections C and D of~~
2 ~~this section,~~ a A public body may hold meetings and executive
3 sessions by videoconference or teleconference where each member of
4 the public body ~~is visible and audible to each other and the public~~
5 ~~through a video monitor~~ may participate in the meetings
6 electronically, subject to the following:

- 7 1. a. ~~except as provided for in subparagraph b of this~~
8 ~~paragraph, no less than a quorum of the public body~~
9 ~~shall be present in person at the meeting site as~~
10 ~~posted on the meeting notice and agenda~~ Members of
11 public bodies subject to the Oklahoma Open Meeting Act
12 shall not participate in more than one-quarter (1/4)
13 of the regular and special meetings of the public body
14 upon which they serve utilizing this exception in any
15 floating twelve-month period. Attendance in excess of
16 this prohibition shall be recorded as an absence.
17 This provision shall not apply to those serving on a
18 virtual charter school approved and sponsored by the
19 Statewide Virtual Charter School Board pursuant to the
20 provisions of Section 3-145.3 of Title 70 of the
21 Oklahoma Statutes,
- 22 b. ~~a virtual charter school approved and sponsored by the~~
23 ~~Statewide Virtual Charter School Board pursuant to the~~
24 ~~provisions of Section 3-145.3 of Title 70 of the~~

1 ~~Oklahoma Statutes~~ Public bodies shall maintain a
2 quorum of members for the entire duration of the
3 meeting ~~whether using an in-person site,~~
4 ~~videoconference sites or any combination of such sites~~
5 ~~to achieve a quorum~~; Members participating remotely
6 may do so from any fixed location, and the meeting
7 shall be open to the public in person in a public
8 place unless emergency provisions are triggered as
9 outlined in the Oklahoma Open Meeting Act. With the
10 exception of those communications made pursuant to a
11 lawfully convened executive session, no private
12 electronic communications concerning public business
13 may occur during a public meeting by members of the
14 governing body, and

15 c. ~~each~~ Each public meeting held ~~by videoconference or~~
16 ~~teleconference~~ in compliance with this section shall
17 ~~be recorded either by written, electronic, or other~~
18 ~~means~~ have minutes prepared in compliance with state
19 and local law;

20 2. The meeting notice and agenda prepared in advance of the
21 meeting, as required by law, shall indicate if the meeting ~~will~~ may
22 include ~~videoconferencing locations~~ electronic or in-person
23 participation and shall state:

- 1 a. ~~the location, address, and telephone number of each~~
2 ~~available videoconference site, and~~
- 3 b. ~~the identity of each member of the public body and the~~
4 ~~specific site from which each member of the body shall~~
5 ~~be physically present and participating in the meeting~~
6 ~~and/or electronic source that may be utilized to~~
7 ~~access the meeting;~~

8 3. ~~After the meeting notice and agenda are prepared and posted,~~
9 ~~as required by law, no member of the public body shall be allowed to~~
10 ~~participate in the meeting from any location other than the specific~~
11 ~~location posted on the agenda in advance of the meeting;~~

12 4. ~~In order to allow the public the maximum opportunity to~~
13 ~~attend and observe each public official carrying out the duties of~~
14 ~~the public official, a member or members of a public body desiring~~
15 ~~to participate in a meeting by videoconference shall participate in~~
16 ~~the videoconference from a site and room located within the district~~
17 ~~or political subdivision from which they are elected, appointed, or~~
18 ~~are sworn to represent;~~

19 5. ~~Each site and room where a member of the public body is~~
20 ~~present for a meeting by videoconference shall be open and~~
21 ~~accessible to the public, and the public shall be allowed into that~~
22 ~~site and room. Public bodies may provide additional videoconference~~
23 ~~sites as a convenience to the public, but additional sites shall not~~

1 ~~be used to exclude or discourage public attendance at any~~
2 ~~videoconference site;~~

3 ~~6.~~ 3. The public shall be allowed to participate and speak, ~~as~~
4 ~~allowed by~~ at meetings held by videoconference or teleconference to
5 the extent such participation is consistent with a previously
6 adopted rule or policy set by the public body, ~~in a meeting at the~~
7 ~~videoconference site in the same manner and to the same extent as~~
8 ~~the public is allowed to participate or speak at the site of the~~
9 ~~meeting;~~

10 ~~7.~~ 4. Any materials shared electronically between members of
11 the public body, before or during ~~the videoconference~~ a public
12 meeting, shall also be ~~immediately~~ made available to the public ~~in~~
13 ~~the same form and manner as shared with members of the public body;~~
14 ~~and~~

15 ~~8.~~ 5. All votes occurring during any meeting conducted using
16 ~~videoconferencing~~ electronic means shall occur and be recorded by
17 roll call vote;

18 6. The requirement of an in-person meeting location for the
19 purposes of conducting a public meeting as outlined in this section
20 shall be suspended statewide during a state of emergency declared by
21 the Governor to respond to the threat of the public's peace, health
22 and safety, or during a locally declared state of emergency declared
23 by a mayor, school board president, or chairman of a board of county
24 commissioners whereby such locally declared state of emergency shall

1 not continue for more than thirty (30) days without ratification of
2 the respective public body; and

3 7. Public bodies are permitted to conduct an executive session
4 by teleconference or videoconference to the extent a quorum is
5 present in compliance with the provisions of this act.

6 ~~B. No public body shall conduct an executive session by~~
7 ~~videoconference.~~

8 ~~C. Upon the effective date of this act and until February 15,~~
9 ~~2022, or until thirty (30) days after the expiration or termination~~
10 ~~of the state of emergency declared by the Governor to respond to the~~
11 ~~threat of COVID-19 to the people of this state and the public's~~
12 ~~peace, health and safety, whichever date first occurs, the~~
13 ~~provisions of this subsection and subsection D shall operate as law~~
14 ~~in this state.~~

15 ~~1. A public body may hold meetings by teleconference or~~
16 ~~videoconference if each member of the public body is audible or~~
17 ~~visible to each other and the public, subject to the following:~~

18 ~~a. for a virtual charter school approved and sponsored by~~
19 ~~the Statewide Virtual Charter School Board pursuant to~~
20 ~~the provisions of the Oklahoma Statutes, the public~~
21 ~~body shall maintain a quorum of members for the entire~~
22 ~~duration of the meeting whether using an in-person~~
23 ~~site, teleconference, or videoconference or any~~
24 ~~combination of such sites to achieve a quorum, and~~

1 ~~b. if the meeting is held using either teleconference or~~
2 ~~videoconference capabilities, and at any time the~~
3 ~~audio connection is disconnected, the meeting shall be~~
4 ~~stopped and reconvened once the audio connection is~~
5 ~~restored;~~

6 ~~2. The meeting notice and agenda prepared in advance of the~~
7 ~~meeting, as required by law, shall indicate if the meeting will~~
8 ~~include teleconferencing or videoconferencing and shall also state:~~

9 ~~a. each public body member appearing remotely and the~~
10 ~~method of each member's remote appearance, and~~

11 ~~b. the identity of the public body member or members who~~
12 ~~will be physically present at the meeting site, if~~
13 ~~any;~~

14 ~~3. After the meeting notice and agenda are prepared and posted~~
15 ~~as required by law, public body members shall not be permitted to~~
16 ~~alter their method of attendance; provided, however, those members~~
17 ~~who were identified as appearing remotely may be permitted to~~
18 ~~physically appear at the meeting site, if any, for the meeting;~~

19 ~~4. The public body shall be allowed to participate and speak,~~
20 ~~as allowed by rule or policy set by the public body, in a meeting~~
21 ~~which utilizes teleconference or videoconference in the same manner~~
22 ~~and to the same extent as the public is allowed to participate or~~
23 ~~speak during a meeting where all public body members are physically~~
24 ~~present together at the meeting site;~~

1 ~~5. Any documents or other materials provided to members of the~~
2 ~~public body or shared electronically between members of the public~~
3 ~~body during a meeting utilizing teleconferencing or~~
4 ~~videoconferencing shall also be immediately available to the public~~
5 ~~on the website of the public body, if the public body maintains a~~
6 ~~website; and~~

7 ~~6. All votes occurring during any meeting utilizing~~
8 ~~teleconference or videoconference shall occur and be recorded by~~
9 ~~roll call votes.~~

10 ~~D. Public bodies are permitted to conduct an executive session~~
11 ~~by teleconference or videoconference. For such executive sessions,~~
12 ~~no public body member is required to be physically present so long~~
13 ~~as each public body member is audible or visible to each other. The~~
14 ~~meeting notice and agenda prepared in advance of the meeting as~~
15 ~~required by law shall indicate if the executive session will include~~
16 ~~teleconferencing or videoconferencing and shall also state the~~
17 ~~identity of each public body member appearing remotely, the method~~
18 ~~of each member's remote appearance, and whether any member will be~~
19 ~~physically present at the meeting site, if any, for the executive~~
20 ~~session.~~

21 SECTION 6. This act shall become effective November 1, 2022.
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23
24

1 Passed the House of Representatives the 22nd day of March,
2022.

4 _____
Presiding Officer of the House
of Representatives

6 Passed the Senate the ____ day of _____, 2022.

8 _____
Presiding Officer of the Senate