



S.B. 1031

RE: S.B. 1031

SUBJECT: Oklahoma Open Meeting Act

Senate Bill 1031 took effect on February 10, 2021. This bill extends many of the Open Meeting Act flexibilities for public bodies to hold meetings by teleconference or videoconference put into place last session by S.B. 661 (2020) and that expired Nov. 15, 2020.

- **NEW** - Section 1(C): Renews temporary flexibilities for public bodies to meet via teleconference or video conference until 30 days after the Governor terminates the current state of emergency due to COVID-19 or until February 15, 2022, whichever occurs first.
- Section 1(C)(1): Allows a public body to hold meetings by teleconference or videoconference if each member of the public body is audible or visible to each other and the public.
 - Requires the public body of a virtual charter school approved and sponsored by the Statewide Virtual Charter School Board to maintain a quorum of members for the entire duration of the meeting whether using an in-person site, teleconference, or videoconference or any combination of such sites to achieve a quorum.
 - Requires a meeting held using either teleconference or videoconference to stop if at any time the audio connection is disconnected and then reconvene once the audio connection is restored.

NOTE: The requirement for virtual charter school meetings is a permanent part of the statute.

- Section 1(C)(2): Requires the meeting notice and agenda, as currently required by law, to indicate if the meeting will include teleconferencing or videoconferencing, each public body member appearing remotely and the method of their appearance, and the identity of any members who will be physically present at the meeting site.
- Section 1(C)(3): Prohibits members of public bodies from altering their method of attendance once the meeting notice and agenda are prepared and posted, with the exception that members listed to appear remotely may appear in person.
- Section 1(C)(4): Requires the public be allowed to participate and speak, as allowed by the public body's rules and policies, in a meeting using teleconference or

videoconference in the same manner and to the same extent as the public would be allowed to participate during a typical in-person meeting.

- **NEW** - Section 1(C)(5): Requires any documents or other materials provided to members of a public body or shared electronically between members of a public body during a meeting using teleconference or videoconference, to be made immediately available to the public on the public body's website, if one exists.

NOTE: This subsection was revised to include documents and materials *provided* to members, in addition to those shared between them, as well as requiring materials be posted on the public body's website rather than in the same form as provided to the members.

- Section 1(C)(6): Requires all votes occurring during a meeting utilizing teleconference or videoconference to be recorded by roll call.
- Section 1(D): Permits public bodies to conduct an executive session by teleconference or videoconference so long as each member is audible or visible to one another. The meeting notice and agenda must indicate if the executive session will include teleconferencing or videoconferencing, each public body member appearing remotely and the method of their appearance, and the identity of any members who will be physically present at the meeting site.
- **NEW** - Section 2(A)(9): Extends the exemption for public bodies from the requirement to make a meeting notice available to the public in the public body's principal office or meeting location during normal business hours at least 24 hours prior to the meeting until Feb. 15, 2022, or until 30 days after the expiration of the Governor's COVID-19 state of emergency, whichever occurs first.
- **NEW** - Section 2(A)(14): Prohibits a public body that has provided public notice that a meeting will feature a videoconference option from modifying the method of meeting as described in the public notice. If a code or password is required to access the videoconference meeting, this information must be included in the meeting notice.

NOTE: This is a permanent addition to public notice statute.

Should you have any questions related to this bill, please contact Mr. Ryan Pieper, at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 25 O.S. §307.1, 311