

SUBJECT: Requiring certain local governments to post video of open meetings online

COMMITTEE: Government Transparency and Operation — committee substitute recommended

VOTE: 7 ayes — Elkins, Walle, Galindo, Gonzales, Gutierrez, Leach, Scott Turner

0 nays

WITNESSES: For — Heidi Hansing, City of League City; Kelley Shannon, Freedom of Information Foundation of Texas; Bryan Halley, Swagit Productions, LLC; Jess Fields, Texas Public Policy Foundation; Susan Fletcher; John Keating; Kathleen Thompson; (*Registered, but did not testify*: Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Barbara Harless, North Texas Citizens Lobby; Michael Schneider, Texas Association of Broadcasters; Donnis Baggett, Texas Press Association; Terri Miller)

Against — John Dahill, Texas Conference of Urban Counties

On — Ruben Longoria, Texas Association of School Boards

DIGEST: CSHB 283 would require the following governmental bodies to record video and audio of meetings and make the recordings available online:

- metropolitan rapid transit authorities;
- regional transportation authorities;
- municipal transit departments;
- elected school boards of districts with 10,000 students or more; and
- county commissioners courts or elected governing bodies of home-rule municipalities for counties or municipalities with a population of 50,000 or more.

The bill would require each regularly scheduled open meeting that was not

a work session or special called meeting to be recorded and for an archived copy of the recording to be made available online.

The governmental bodies would not be required create a separate website for the purposes of the bill and instead could use an existing publicly accessible video sharing or social networking website to host the recordings. A governmental body that already maintains a website would be required to provide links to the archived recording in a conspicuous manner on its website.

The bill would require that these recordings be made available online no later than seven days after the meeting and would have to be available online for at least two years after the recording was first made available.

The bill would allow an exemption in the event of a technical breakdown, or a catastrophe that interfered with a governmental body's ability to conduct a meeting as defined in Government Code, sec. 551.0411. After a breakdown or catastrophe, governmental bodies would be required to make all reasonable efforts to make recordings available in a timely fashion.

The bill also would allow governmental bodies to broadcast regularly scheduled open meetings on television.

The bill would take effect September 1, 2015, and would apply only to an open meeting held on or after the effective date.

**SUPPORTERS  
SAY:**

CSHB 283 would improve transparency and access to government by ensuring that recordings of open meetings were made available online. Individuals who find it difficult to attend meetings because of a disability or simply due to a busy schedule could keep up with the actions of a governmental body if a recording was posted online.

In some cases, governmental bodies have been reluctant to record meetings and make them available on the Internet, even when citizens have specifically requested that recordings be made available online. The

bill would ensure uniform rules so that members of the public would be able to access these recordings no matter where they lived in the state.

Current technology makes recording and posting meetings online inexpensive, simple, and convenient, and the requirements of this bill could be fulfilled with equipment as minimal as a cell phone capable of recording video and a publicly accessible website such as YouTube. This bill would help the public stay engaged and informed regarding the activities of these governmental bodies.

**OPPONENTS  
SAY:**

CSHB 283 could be burdensome to many local governments due to the cost of equipment and skilled technicians necessary to record video and audio of reasonable quality from the meetings. Although cell phones can record audio and video, the quality would be unacceptable to many viewers, and the length of meetings might preclude the use of mobile devices due to battery and file size storage limitations.

Many local governments already record meetings and post the recordings online. Jurisdictions where members of the public express an interest in watching meetings online can budget for the service. Jurisdictions where there was little interest could spend their funds in a way that would better serve their constituents.