

SUBJECT: Permitting public participation at certain meetings of governmental bodies

COMMITTEE: County Affairs — favorable, without amendment

VOTE: 8 ayes — Bohac, Anderson, Biedermann, Cole, Dominguez, Huberty,
Rosenthal, Stickland

0 nays

1 absent — Coleman

WITNESSES: For — (*Registered, but did not testify*: Chris Masey, Coalition of Texans
with Disabilities; Calvin Tillman; Al Zito)

Against — None

On — (*Registered, but did not testify*: Adam Haynes, Conference of
Urban Counties)

DIGEST: HB 2840 would require certain governmental bodies to allow any member
of the public who wished to address the body regarding an item on the
agenda for an open meeting to do so at the meeting before or during the
body's consideration of that item.

The bill would apply to:

- a county commissioners court;
- a municipal governing body;
- a deliberative body with rulemaking or quasi-judicial power and
that was classified as a department, agency, or political subdivision
of a county or municipality;
- a school district board of trustees;
- a county board of school trustees;
- a county board of education;
- the governing board of a special district created by law;

- a local workforce development board;
- a nonprofit corporation eligible to receive funds under the federal community services block grant program and authorized by the state to serve a geographic area of the state;
- a nonprofit corporation that provided a water supply, wastewater service, or both, and was exempt from ad valorem taxation; and
- a joint board created to exercise the constituent powers of each public agency with respect to an airport, air navigation facility, or airport hazard area.

HB 2840 would allow a governmental body to which it applied to adopt reasonable rules regarding the public's right to address that body, including those that limited the total amount of time that a member of the public could address the body on a given item. If a governmental body did not use simultaneous translation equipment, a member of the public who addressed the body through a translator would have to be given at least twice the amount of time as a member of the public who did not require the assistance of a translator.

A governmental body could not prohibit public criticism of that body unless that criticism was otherwise prohibited by law.

The bill would take effect September 1, 2019.