

BILL ANALYSIS

Senate Research Center

C.S.S.B. 839
By: Bivins
State Affairs
4-25-97
Committee Report (Substituted)

DIGEST

Currently, no state law authorizes a governmental body to hold a meeting by videoconference call. However, state boards and commissions are allowed to hold open or closed meetings via telephone conference call under certain circumstances. This bill allows a governmental body to hold a meeting via videoconference.

PURPOSE

As proposed, C.S.S.B. 839 allows a governmental body to hold a meeting via videoconference under certain circumstances.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Department of Information Resources in SECTION 2 (Section 551.126(h), Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 551F, Government Code, as follows:

SUBCHAPTER F. New heading: MEETINGS BY TELEPHONE CONFERENCE CALL
OR VIDEOCONFERENCE CALL

SECTION 2. Amends Chapter 551F, Government Code, by adding Section 551.126, as follows:

Sec. 551.126. VIDEOCONFERENCE CALL. Provides that this chapter does not prohibit a governmental body from holding an open or closed meeting by videoconference call, except as otherwise provided by this section. Authorizes a meeting to be held by videoconference call only if the convening at one location of a quorum of the governmental body is difficult or impossible. Provides that a meeting held by videoconference call is subject to the notice requirements applicable to other meetings in addition to the notice requirement prescribed by this section. Sets forth the requirements for the notice of meeting. Requires each portion of the meeting held by videoconference call that is required to be open to the public to be visible and audible to the public at the location specified under Subsection (d). Requires the governmental body to make at least an audio recording of the meeting and to make the recording available to the public. Requires each location specified under Subsection (d) to have two-way communication with each other location during the entire meeting. Requires each participant in the videoconference call, while speaking, to be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at a location of the meeting. Requires the Department of Information Resources, by rule, to specify minimum standards for audio and video signals at a meeting held by videoconference call. Requires the quality of the audio and video signals perceptible at each location of the meeting to meet or exceed those standards. Requires the quality of the audio and video signals perceptible by members of the public at each location of the meeting to meet certain requirements.

SECTION 3. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Makes a change in the relating clause.

SECTION 2.

Amends Section 551.126, Government Code, to authorize a meeting to be held by videoconference call only if the convening at one location of a quorum of the governmental body is difficult or impossible. Requires the notice of the meeting to specify as a location of the meeting each location where a member of the governmental body who will participate in the meeting will be physically present during the meeting. Requires each of the locations to be open to the public during the open portions of the meeting. Requires each location specified under Subsection (d) to have two-way communication with each other location during the entire meeting. Requires each participant in the videoconference call, while speaking, to be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at a location of the meeting. Requires the Department of Information Resources, by rule, to specify minimum standards for audio and video signals at a meeting held by videoconference call. Requires the quality of the audio and video signals perceptible at each location of the meeting to meet or exceed those standards. Requires the quality of the audio and video signals perceptible by members of the public at each location of the meeting to meet certain requirements. Deletes a proposed requirement that the presiding officer identify each member participating in the meeting, on convening the meeting. Makes nonsubstantive changes.