

1-1 By: Fallon, et al. (Senate Sponsor - Creighton) H.B. No. 283
 1-2 (In the Senate - Received from the House May 14, 2015;
 1-3 May 15, 2015, read first time and referred to Committee on Business
 1-4 and Commerce; May 22, 2015, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the requirement that certain governmental bodies make
 1-20 audio and video recordings of open meetings available on the
 1-21 Internet.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 551.128, Government Code, is amended by
 1-24 amending Subsections (b) and (c) and adding Subsections (b-1),
 1-25 (b-2), (b-3), (b-4), (b-5), and (b-6) to read as follows:

1-26 (b) Except as provided by Subsection (b-1) and subject
 1-27 [Subject] to the requirements of this section, a governmental body
 1-28 may broadcast an open meeting over the Internet.

1-29 (b-1) A transit authority or department subject to Chapter
 1-30 451, 452, 453, or 460, Transportation Code, an elected school
 1-31 district board of trustees for a school district that has a student
 1-32 enrollment of 10,000 or more, an elected governing body of a
 1-33 home-rule municipality that has a population of 50,000 or more, or a
 1-34 county commissioners court for a county that has a population of
 1-35 125,000 or more shall:

1-36 (1) make a video and audio recording of reasonable
 1-37 quality of each regularly scheduled open meeting that is not a work
 1-38 session or a special called meeting; and

1-39 (2) make available an archived copy of the video and
 1-40 audio recording of each meeting described by Subdivision (1) on the
 1-41 Internet.

1-42 (b-2) A governmental body described by Subsection (b-1) may
 1-43 make available the archived recording of a meeting required by
 1-44 Subsection (b-1) on an existing Internet site, including a publicly
 1-45 accessible video-sharing or social networking site. The
 1-46 governmental body is not required to establish a separate Internet
 1-47 site and provide access to archived recordings of meetings from
 1-48 that site.

1-49 (b-3) A governmental body described by Subsection (b-1)
 1-50 that maintains an Internet site shall make available on that site,
 1-51 in a conspicuous manner:

1-52 (1) the archived recording of each meeting to which
 1-53 Subsection (b-1) applies; or

1-54 (2) an accessible link to the archived recording of
 1-55 each such meeting.

1-56 (b-4) A governmental body described by Subsection (b-1)
 1-57 shall:

1-58 (1) make the archived recording of each meeting to
 1-59 which Subsection (b-1) applies available on the Internet not later
 1-60 than seven days after the date the recording was made; and

1-61 (2) maintain the archived recording on the Internet

2-1 for not less than two years after the date the recording was first
2-2 made available.

2-3 (b-5) A governmental body described by Subsection (b-1) is
2-4 exempt from the requirements of Subsections (b-2) and (b-4) if the
2-5 governmental body's failure to make the required recording of a
2-6 meeting available is the result of a catastrophe, as defined by
2-7 Section 551.0411, or a technical breakdown. Following a catastrophe
2-8 or breakdown, a governmental body must make all reasonable efforts
2-9 to make the required recording available in a timely manner.

2-10 (b-6) A governmental body described by Subsection (b-1) may
2-11 broadcast a regularly scheduled open meeting of the body on
2-12 television.

2-13 (c) Except as provided by Subsection (b-2), a [A]
2-14 governmental body that broadcasts a meeting over the Internet shall
2-15 establish an Internet site and provide access to the broadcast from
2-16 that site. The governmental body shall provide on the Internet site
2-17 the same notice of the meeting that the governmental body is
2-18 required to post under Subchapter C. The notice on the Internet must
2-19 be posted within the time required for posting notice under
2-20 Subchapter C.

2-21 SECTION 2. The changes in law made by this Act apply only to
2-22 an open meeting held on or after the effective date of this Act. An
2-23 open meeting held before the effective date of this Act is governed
2-24 by the law in effect on the date of the open meeting, and the former
2-25 law is continued in effect for that purpose.

2-26 SECTION 3. This Act takes effect January 1, 2016.

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