

Chapter 14

2021 Regular Session

Subject Open Meeting Law Technological and Pandemic Updates

Bill H.F. 820/S.F. 852

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Overview

This act updates various provisions of the Open Meeting Law (OML) under chapter 13D to reflect modern technology used for remote meetings of public bodies. The act also amends the OML to address the operation of public meetings during a health pandemic. Language permitting a public body to charge for costs incurred for remotely connecting to a meeting is removed throughout the provisions of the OML.

Sections 1 to 6 are effective on August 1, 2021, except that subdivision 4 of section 5 is effective on May 7, 2021. Section 7 is effective retroactively for meetings occurring on or after January 1, 2021.

Summary

Section	Description
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| 1 | Definitions.
Defines the term “interactive technology” as used throughout the OML. This term replaces references to interactive television and other electronic means. |
| 2-3 | Votes kept in, and public access to, journal and minutes.
Provides that the votes on an action taken in a public meeting may be recorded in the minutes and such minutes are open to the public. |
| 4-5 | Meetings by telephone or interactive technology.
Conforming changes made throughout due to the new definition of “interactive technology” in section 1. Language permitting charges for costs incurred for remotely connecting to a meeting is also removed. |

Section 5 clarifies that section 13D.02 does not apply to state entities; such meetings are governed under section 13D.015.

Section	Description
6	<p>Meetings during pandemic or chapter 12 emergency.</p> <p>Provides that members of the public are permitted to comment from a remote location during a public comment period of a meeting of a public body subject to the OML if in-person attendance is not feasible due to the health pandemic or emergency. Conforming changes made throughout.</p>
7	<p>Open Meeting Law; member participation from private location.</p> <p>Provides that a meeting subject to the OML that occurs after December 31, 2020, and before July 1, 2021, satisfies the participation requirements of section 13D.02 if a member of a public body participates from a location that is not open or accessible to the public more than three times before July 1, 2021.</p>



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