

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 3596

By: McCall

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5  
6 AS INTRODUCED

7 An Act relating to definitions and general  
8 provisions; amending 25 O.S. 2011, Section 304, which  
9 relates to the Oklahoma Open Meeting Act; modifying  
10 definition; and declaring an emergency.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 25 O.S. 2011, Section 304, is  
13 amended to read as follows:

14 Section 304. As used in the Oklahoma Open Meeting Act:

15 1. "Public body" means the governing bodies of all  
16 municipalities located within this state, boards of county  
17 commissioners of the counties in this state, boards of public and  
18 higher education in this state and all boards, bureaus, commissions,  
19 agencies, trusteeships, authorities, councils, committees, public  
20 trusts or any entity created by a public trust, including any  
21 committee or subcommittee composed of any of the members of a public  
22 trust or other legal entity receiving funds from the Rural Economic  
23 Action Plan Fund as authorized by Section 2007 of Title 62 of the  
24 Oklahoma Statutes, task forces or study groups in this state

1 supported in whole or in part by public funds or entrusted with the  
2 expending of public funds, or administering public property, and  
3 shall include all committees or subcommittees of any public body.  
4 Public body shall not include the state judiciary, the Council on  
5 Judicial Complaints when conducting, discussing, or deliberating any  
6 matter relating to a complaint received or filed with the Council,  
7 the Legislature, or administrative staffs of public bodies,  
8 including, but not limited to, faculty meetings and athletic staff  
9 meetings of institutions of higher education when those staffs are  
10 not meeting with the public body, or entry-year assistance  
11 committees. Furthermore, public body shall not include the  
12 multidisciplinary team provided for in subsection C of Section 1-  
13 502.2 of Title 63 of the Oklahoma Statutes or any school board  
14 meeting for the sole purpose of considering recommendations of a  
15 multidisciplinary team and deciding the placement of any child who  
16 is the subject of the recommendations. Furthermore, public body  
17 shall not include meetings conducted by stewards designated by the  
18 Oklahoma Horse Racing Commission pursuant to Section 203.4 of Title  
19 3A of the Oklahoma Statutes when the stewards are officiating at  
20 races or otherwise enforcing rules of the Commission. Furthermore,  
21 public body shall not include the Agency Performance and  
22 Accountability Commission provided for in Section 8002 of Title 62  
23 of the Oklahoma Statutes;  
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1        2. "Meeting" means the conduct of business of a public body by  
2 a majority of its members being personally together or, as  
3 authorized by Section 307.1 of this title, together pursuant to a  
4 videoconference. Meeting shall not include informal gatherings of a  
5 majority of the members of the public body when no business of the  
6 public body is discussed;

7        3. "Regularly scheduled meeting" means a meeting at which the  
8 regular business of the public body is conducted;

9        4. "Special meeting" means any meeting of a public body other  
10 than a regularly scheduled meeting or emergency meeting;

11        5. "Emergency meeting" means any meeting called for the purpose  
12 of dealing with an emergency. For purposes of the Oklahoma Open  
13 Meeting Act, an emergency is defined as a situation involving injury  
14 to persons or injury and damage to public or personal property or  
15 immediate financial loss when the time requirements for public  
16 notice of a special meeting would make such procedure impractical  
17 and increase the likelihood of injury or damage or immediate  
18 financial loss;

19        6. "Continued or reconvened meeting" means a meeting which is  
20 assembled for the purpose of finishing business appearing on an  
21 agenda of a previous meeting. For the purposes of the Oklahoma Open  
22 Meeting Act, only matters on the agenda of the previous meeting at  
23 which the announcement of the continuance is made may be discussed  
24 at a continued or reconvened meeting; and

1       7. "Videoconference" means a conference among members of a  
2 public body remote from one another who are linked by interactive  
3 telecommunication devices permitting both visual and auditory  
4 communication between and among members of the public body and  
5 members of the public. During any videoconference both the visual  
6 and auditory communications functions of the device shall be  
7 utilized. Whenever the term "teleconference" appears in any law in  
8 relation to a meeting of a public body, it shall be deemed to mean a  
9 videoconference as defined in this paragraph.

10       SECTION 2. It being immediately necessary for the preservation  
11 of the public peace, health or safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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