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H.B. No. 283

A BILL TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

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

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

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

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

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

13                (2) an accessible link to the archived recording of  
14 each such meeting.

15        (b-4) A governmental body described by Subsection (b-1)  
16 shall:

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

20                (2) maintain the archived recording on the Internet  
21 for not less than two years after the date the recording was first  
22 made available.

23        (b-5) A governmental body described by Subsection (b-1) is  
24 exempt from the requirements of Subsections (b-2) and (b-4) if the  
25 governmental body's failure to make the required recording of a  
26 meeting available is the result of a catastrophe, as defined by  
27 Section [551.0411](#), or a technical breakdown. Following a catastrophe

1 or breakdown, a governmental body must make all reasonable efforts  
2 to make the required recording available in a timely manner.

3 (b-6) A governmental body described by Subsection (b-1) may  
4 broadcast a regularly scheduled open meeting of the body on  
5 television.

6 (c) Except as provided by Subsection (b-2), a [A]  
7 governmental body that broadcasts a meeting over the Internet shall  
8 establish an Internet site and provide access to the broadcast from  
9 that site. The governmental body shall provide on the Internet site  
10 the same notice of the meeting that the governmental body is  
11 required to post under Subchapter C. The notice on the Internet must  
12 be posted within the time required for posting notice under  
13 Subchapter C.

14 SECTION 2. The changes in law made by this Act apply only to  
15 an open meeting held on or after the effective date of this Act. An  
16 open meeting held before the effective date of this Act is governed  
17 by the law in effect on the date of the open meeting, and the former  
18 law is continued in effect for that purpose.

19 SECTION 3. This Act takes effect January 1, 2016.