



H.B. 129

127th General Assembly
(As Introduced)

Reps. Evans and Book, Seitz, J. McGregor, Stebelton, Peterson, Yuko, Chandler, Letson, Wagoner, Garrison, Sayre

BILL SUMMARY

- Authorizes for a two-year period a pilot program that allows members of the Ohio Developmental Disabilities Council, Ohio Statewide Independent Living Council, the Governor's Council on People with Disabilities, and the facility governing board and judicial advisory board that governs or advises the STAR Community Justice Center in Franklin Furnace, Ohio, to be present at council or board meetings by teleconference or interactive video teleconference.
- Requires reports on the effects of member participation in meetings held in this manner.

CONTENT AND OPERATION

Background law

Current law specifies (1) that, subject to specified exceptions, all meetings of any public body must be public meetings open to the public at all times and (2) that a member of a public body generally must be *present in person* at a meeting open to the public (a) to be considered present or to vote at the meeting and (b) for purposes of determining whether a quorum is present at the meeting (R.C. 121.22(C)--not in the bill).¹ There is an exception (see **COMMENT**) to this "present in person" requirement of the Open Meetings Law.

¹ Current law defines a "public body" as (a) any board, commission, committee, council, or similar decision-making body of a state agency, institution, or authority and any legislative authority or board, committee, commission, council, agency, authority, or similar decision-making body of any county, township, municipal corporation, school district, or other political subdivision or local public institution, (b) any committee or

Changes proposed by the bill

Notwithstanding the requirements of current law described above, for a period of two years immediately following the bill's effective date, a pilot program is authorized that allows the Ohio Developmental Disabilities Council, Ohio Statewide Independent Living Council, the Governor's Council on People with Disabilities, and the facility governing board and judicial advisory board that governs or advises the STAR Community Justice Center located in Franklin Furnace, Ohio each to adopt a rule that authorizes its members to be present at council or board meetings open to the public *by teleconference or by interactive video teleconference*, in lieu of being present in person, in order to be considered *present or to vote at those meetings* and for purposes of determining whether *a quorum is present* at those meetings. A council or board that desires to allow its members to participate in meetings in this manner must adopt a rule authorizing the participation of the council's or board's members in the pilot program. Any such rule also must establish a method to authenticate the identity of members who will be present at those meetings by teleconference or by interactive video teleconference. (Section 1.)

If such a rule is adopted by a council or either or both the facility governing board or the judicial advisory board, the council or the Center's Executive Director must submit, not later than 18 months after the bill's effective date, to the House Speaker, Senate President, and House and Senate Minority Leaders a report that describes the effects on the operation of the council or board of member participation in council or board meetings by teleconference or by interactive video teleconference. The report must describe any additional costs the council or board incurred, and any cost savings the council or board realized, through member participation in council or board meetings in this manner. If any of the recipients of the report determines that the pilot program results could be profitably applied to meetings of all public bodies or only to public bodies whose members must travel long distances to attend meetings, the recipient may recommend the relevant type of legislation for introduction. (Section 2.)

COMMENT

Current law that governs the meetings of financial planning and supervision commissions established for specific school districts allows members of these entities to be "present" at a meeting other than "in person" if it is held by

subcommittee of a body described in item (a), or (c) a court of jurisdiction of certain sanitary districts when meeting for certain purposes (R.C. 121.22(B)(1)).

teleconference and provisions are made for public attendance at any location involved in the teleconference (R.C. 3316.05(K)).

HISTORY

ACTION	DATE
Introduced	03-27-07

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