

By: Senator(s) Lee (35th)

To: Fees, Salaries and Administration

SENATE BILL NO. 2081

1 AN ACT TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE REQUIREMENTS FOR TELECONFERENCE AND VIDEO MEETINGS OF A  
3 PUBLIC BODY; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 25-41-5, Mississippi Code of 1972, is  
6 amended as follows:

7 25-41-5. (1) All official meetings of any public body,  
8 unless otherwise provided in this chapter or in the Constitutions  
9 of the United States of America or the State of Mississippi, are  
10 declared to be public meetings and shall be open to the public at  
11 all times unless declared an executive session as provided in  
12 Section 25-41-7.

13 (2) A public body may conduct any meeting, other than an  
14 executive session called pursuant to Section 25-41-7, wherein  
15 public business is discussed or transacted, through teleconference  
16 or video means. \* \* \* A quorum of a public body as prescribed by  
17 law, a quorum of the Board of Trustees of State Institutions of  
18 Higher Learning as prescribed in Section 37-101-9 and the State  
19 Board for Community and Junior Colleges as prescribed in Sections  
20 37-4-3 and 37-4-4 may be at different locations for the purpose of  
21 conducting a meeting through teleconference or video means  
22 provided \* \* \* participation is available to the general public.

23 (3) (a) Notice of any meetings held pursuant to subsection  
24 (2) of this section shall be provided at least thirty (30) days in  
25 advance of the date scheduled for the meeting. The notice shall  
26 include the date, time, place and purpose for the meeting and  
27 shall identify the locations for the meeting. All locations for

28 the meeting shall be made accessible to the public. All persons  
29 attending the meeting at any of the meeting locations shall be  
30 afforded the same opportunity to address the public body as  
31 persons attending the primary or central location. Any  
32 interruption in the teleconference or video broadcast of the  
33 meeting shall result in the suspension of action at the meeting  
34 until repairs are made and public access restored.

35 (b) Thirty-day notice shall not be required for  
36 teleconference or video meetings continued to address an emergency  
37 as provided in subsection (5) of this section or to conclude the  
38 agenda of a teleconference or video meeting of the public body for  
39 which the proper notice has been given, when the date, time, place  
40 and purpose of the continued meeting are set during the meeting  
41 prior to adjournment.

42 (4) An agenda and materials that will be distributed to  
43 members of the public body and that have been made available to  
44 the staff of the public body in sufficient time for duplication  
45 and forwarding to all locations where public access will be  
46 provided shall be made available to the public at the time of the  
47 meeting. Minutes of all meetings held by teleconference or video  
48 means shall be recorded as required by Section 25-41-11. Votes  
49 taken during any meeting conducted through teleconference or video  
50 means shall be recorded by name in roll-call fashion and included  
51 in the minutes. In addition, the public body shall make an audio  
52 recording of the meeting, if a teleconference medium is used, or  
53 an audio/visual recording, if the meeting is held by video means.  
54 The recording shall be preserved by the public body for a period  
55 of three (3) years following the date of the meeting and shall be  
56 available to the public.

57 (5) A public body may meet by teleconference or video means  
58 as often as needed if an emergency exists and the public body is  
59 unable to meet in regular session. Public bodies conducting  
60 emergency meetings through teleconference or video means shall

61 comply with the provisions of subsection (4) of this section  
62 requiring minutes, recordation and preservation of the audio or  
63 audio/visual recording of the meeting. The nature of the  
64 emergency shall be stated in the minutes.

65         **SECTION 2.** This act shall take effect and be in force from  
66 and after its passage.