

House Amendments to Senate Bill No. 2081

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

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

16 (2) A public body may conduct any meeting * * * through
17 teleconference or video means. If a quorum of the public body is
18 physically assembled at one (1) location for the purpose of
19 conducting a meeting, additional members of the public body may
20 participate in the meeting through teleconference or video means
21 provided their participation is available to the general public.
22 A quorum of a public body as prescribed by law * * * may be at
23 different locations for the purpose of conducting a meeting
24 through teleconference or video means provided * * * participation
25 is available to the general public.

26 (3) (a) Notice of any meetings held pursuant to subsection
27 (2) of this section shall be provided at least five (5) days in
28 advance of the date scheduled for the meeting. The notice shall
29 include the date, time, place and purpose for the meeting and
30 shall identify the locations for the meeting. All locations for
31 the meeting shall be made accessible to the public. All persons
32 attending the meeting at any of the meeting locations shall be
33 afforded the same opportunity to address the public body as

34 persons attending the primary or central location. Any
35 interruption in the teleconference or video broadcast of the
36 meeting shall result in the suspension of action at the meeting
37 until repairs are made and public access restored.

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

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

60 (5) A public body may meet by teleconference or video means
61 as often as needed if an emergency exists and the public body is
62 unable to meet in regular session. Public bodies conducting
63 emergency meetings through teleconference or video means shall
64 comply with the provisions of subsection (4) of this section
65 requiring minutes, recordation and preservation of the audio or
66 audio/visual recording of the meeting. The nature of the
67 emergency shall be stated in the minutes.

68 **SECTION 2.** This act shall take effect and be in force from
69 and after July 1, 2007.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO
2 ALLOW EXECUTIVE SESSIONS OF PUBLIC BODIES TO BE HELD BY
3 TELECONFERENCE AND TO CHANGE THE MINIMUM NOTICE REQUIRED FOR
4 TELECONFERENCE MEETINGS; TO AUTHORIZE THE QUORUM OF ANY PUBLIC
5 BODY TO MEET BY TELECONFERENCE AT DIFFERENT LOCATIONS FOR PURPOSES
6 OF CONDUCTING A MEETING; AND FOR RELATED PURPOSES.

HR40\SB2081A.J

Don Richardson
Clerk of the House of Representatives