

By: Representatives Turner, Brown, Dixon

To: Accountability,  
Efficiency, Transparency

## HOUSE BILL NO. 1296

1 AN ACT TO AMEND SECTION 25-41-11, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THAT THE MINUTES OF ALL MEETINGS OF A PUBLIC BODY  
3 REQUIRED TO BE RECORDED UNDER THE OPEN MEETINGS ACT BE RECORDED  
4 WITHIN 28 DAYS OF RECESS OR ADJOURNMENT OF THE MEETINGS INSTEAD OF  
5 30 DAYS AFTER RECESS OR ADJOURNMENT OF THE MEETINGS; TO REQUIRE A  
6 PUBLIC BODY TO POST ON ITS WEBSITE, IF IT HAS ONE, A COPY OF THE  
7 MINUTES REQUIRED TO BE KEPT UNDER THE OPEN MEETINGS ACT; TO  
8 REQUIRE THAT A COPY OF THOSE MINUTES BE MAINTAINED ON THE WEBSITE  
9 FOR AT LEAST 12 MONTHS AFTER POSTING THE MINUTES; TO REQUIRE THE  
10 PUBLIC BODY TO POST THE MINUTES ON THE WEBSITE WITHIN 35 DAYS  
11 AFTER THE MEETING; TO PROVIDE THAT THE INABILITY OF THE PUBLIC TO  
12 ACCESS THE PUBLIC BODY'S WEBSITE DUE TO ANY TYPE OF TECHNOLOGICAL  
13 FAILURE IS NOT A VIOLATION OF THE PROVISIONS OF THE OPEN MEETINGS  
14 ACT; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** Section 25-41-11, Mississippi Code of 1972, is  
17 amended as follows:

18 25-41-11. (1) (a) Minutes shall be kept of all meetings of  
19 a public body, whether in open or executive session, showing the  
20 members present and absent; the date, time and place of the  
21 meeting; an accurate recording of any final actions taken at such  
22 meeting; and a record, by individual member, of any votes taken;  
23 and any other information that the public body requests be  
24 included or reflected in the minutes. The minutes shall be



recorded within a reasonable time not to exceed \* \* \* twenty-eight  
(28) days after recess or adjournment and shall be open to public  
inspection during regular business hours.

(b) If the public body has a website, the public body  
shall post on the website a copy of the minutes required to be  
kept under paragraph (a) of this subsection (1) and shall maintain  
a copy of those minutes on the website for at least twelve (12)  
months after posting the minutes. The public body shall post the  
minutes required to be kept under paragraph (a) of this subsection  
(1) on the website within a reasonable time not to exceed  
thirty-five (35) days after adoption of the minutes of the  
meeting. The inability of the public to access the public body's  
website due to any type of technological failure shall not be a  
violation of the provisions of this chapter. The provisions of  
this paragraph (b) shall not apply to municipalities with a  
population of less than twenty-five thousand (25,000) inhabitants  
according to the latest federal decennial census, and any county  
with less than fifty thousand (50,000) inhabitants according to  
the latest federal decennial census.

(2) Minutes of a meeting conducted by teleconference or  
video means shall comply with the requirements of Section 25-41-5.

(3) Minutes of legislative committee meetings shall consist  
of a written record of attendance and final actions taken at such  
meetings.



49           **SECTION 2.** This act shall take effect and be in force from  
50 and after July 1, 2019.

