

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2772

By Senator(s) Blackmon

1 **AMEND** by inserting after line 30 the following, renumbering
2 subsequent section(s):

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

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

11 (2) A public body may conduct any meeting, other than an
12 executive session called pursuant to Section 25-41-7, wherein
13 public business is discussed or transacted, through telephonic or
14 video means. If a quorum of the public body is physically
15 assembled at one (1) location for the purpose of conducting a
16 meeting, additional members of the public body may participate in
17 the meeting through telephonic or video means provided their
18 participation is available to the general public.

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

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

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

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

53 (5) A public body may meet by telephonic or video means as
54 often as needed if an emergency exists and the public body is
55 unable to meet in regular session. Public bodies conducting
56 emergency meetings through telephonic or video means shall comply
57 with the provisions of subsection (4) of this section requiring
58 minutes, recordation and preservation of the audio or audio/visual

recording of the meeting. The nature of the emergency shall be
stated in the minutes.

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

25-41-11. (1) Minutes shall be kept of all meetings of a
public body, whether in open or executive session, showing the
members present and absent; the date, time and place of the
meeting; an accurate recording of any final actions taken at such
meeting; and a record, by individual member, of any votes taken;
and any other information that the public body requests be
included or reflected in the minutes. The minutes shall be
recorded within a reasonable time not to exceed thirty (30) days
after recess or adjournment and shall be open to public inspection
during regular business hours.

(2) Minutes of a meeting conducted by telephonic 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.

**FURTHER, AMEND the title by inserting after the semicolon on
line 3 the following:**

TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
PARTICIPATION IN PUBLIC MEETINGS OF PUBLIC BODIES BY TELEPHONIC OR
VIDEO MEANS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION
25-41-11, MISSISSIPPI CODE OF 1972, TO CONFORM;