

By: Senator(s) Norwood, Simmons (12th)

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2565

1 AN ACT TO AMEND SECTION 25-41-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF PUBLIC BODY; TO CREATE NEW SECTION
3 25-41-4, MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC BODIES TO
4 CREATE AND MAINTAIN A PUBLIC NOTICE LIST; TO AMEND SECTION
5 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE NOTICE BY EMAIL OF
6 MEETING TIMES TO THOSE ON THE PUBLIC NOTICE LIST; TO AMEND SECTION
7 25-41-11, MISSISSIPPI CODE OF 1972, TO REVISE REQUIREMENTS
8 RELATING TO THE AVAILABILITY OF MINUTES OF THE MEETINGS OF PUBLIC
9 BODIES; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 25-41-3, Mississippi Code of 1972, is
12 amended as follows:

13 25-41-3. For purposes of this chapter, the following words
14 shall have the meaning ascribed herein, to wit:

15 (a) "Public body" means any executive or administrative
16 board, commission, authority, council, department, agency, bureau
17 or any other policymaking entity, or committee thereof, of the
18 State of Mississippi, or any political subdivision or municipal
19 corporation of the state, whether the entity be created by statute
20 or executive order, and whether elected by the voters of
21 Mississippi or not, or appointed by any elected public official or



22 officials or other public body or bodies, which is supported
23 wholly or in part by public funds or expends public funds, and any
24 standing, interim or special committee of the Mississippi
25 Legislature. The term "public body" includes the governing board
26 of a charter school authorized by the Mississippi Charter School
27 Authorizer Board and the board of trustees of a community hospital
28 as defined in Section 41-13-10 and, without limitation, a
29 municipality, county, the state, a school district, a levee
30 district, community and junior colleges, university officials, and
31 all committees and subcommittees, including advisory or
32 professional committees related to any public entity that
33 discusses and recommends or votes on any public issue. The term
34 "public body" includes the Mississippi Lottery Corporation. There
35 shall be exempted from the provisions of this chapter:

- 36 (i) The judiciary, including all jury
37 deliberations;
- 38 (ii) Law enforcement officials;
- 39 (iii) The military;
- 40 (iv) The State Probation and Parole Board;
- 41 (v) The Workers' Compensation Commission;
- 42 (vi) Legislative subcommittees and legislative
43 conference committees;
- 44 (vii) The arbitration council established in
45 Section 69-3-19;



46 (viii) License revocation, suspension and
47 disciplinary proceedings held by the Mississippi State Board of
48 Dental Examiners; and

49 (ix) Hearings and meetings of the Board of Tax
50 Appeals and of the hearing officers and the board of review of the
51 Department of Revenue as provided in Section 27-77-15.

52 (b) "Meeting" means an assemblage of members of a
53 public body at which official acts may be taken upon a matter over
54 which the public body has supervision, control, jurisdiction or
55 advisory power, including an assemblage through the use of video
56 or teleconference devices that conforms to Section 25-41-5.

57 **SECTION 2.** The following shall be codified as Section
58 25-41-4, Mississippi Code of 1972:

59 25-41-4. (1) (a) All public bodies must create and maintain
60 a public notice list of email addresses of Mississippi residents
61 who ask to be notified of the day, date, time and place of all
62 regular and special meetings of the body. The public body must
63 email to all addresses on the public notice list notice of the
64 day, date, time and place of all regular and special meetings of
65 the body, and an agenda reflecting the topics that will be
66 discussed, not less than seventy-two (72) hours before the
67 convening of each meeting or within one (1) business day of the
68 time the meeting is set, whichever is earlier.

69 (b) All public bodies must create and maintain a
70 members and key staff list of the names, area or entity



71 represented, and email addresses of the members, and the names and
72 email addresses of the key staff of the body. The list must be
73 maintained on the webpage of the appointing body, or be accessible
74 by a link to the list clearly visible near the top of the webpage.

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

77 25-41-5. (1) All official meetings of any public body,
78 unless otherwise provided in this chapter or in the Constitutions
79 of the United States of America or the State of Mississippi, are
80 declared to be public meetings and shall be open to the public at
81 all times unless declared an executive session as provided in
82 Section 25-41-7.

83 (2) A public body may conduct any meeting through
84 teleconference or video means. A quorum of a public body as
85 prescribed by law may be at different locations for the purpose of
86 conducting a meeting through teleconference or video means
87 provided that the equipment used is located at the place where the
88 public body normally meets or at a public location specified in
89 any notice of a special meeting, and provided that the equipment
90 allows all members of the public body and members of the public
91 who attend the meeting to hear the deliberations of the public
92 body.

93 (3) An agenda and materials that will be distributed to
94 members of the public body and that have been made available to
95 the staff of the public body in sufficient time for duplication



96 and forwarding to the members of the public body shall be made
97 available to the public at the time of the meeting and also by
98 compliance with Section 25-41-4. Votes taken during any meeting
99 conducted through teleconference or video means shall be taken in
100 a manner that is clearly audible or visible to all members of the
101 public body and to members of the public present at the public
102 location.

103 (4) The public body must also include an email address or
104 phone number at which to contact staff to be added to the public
105 notice list on its webpage.

106 **SECTION 4.** Section 25-41-11, Mississippi Code of 1972, is
107 amended as follows:

108 25-41-11. (1) Minutes shall be kept of all meetings of a
109 public body, whether in open or executive session, showing the
110 members present and absent; the date, time and place of the
111 meeting; an accurate recording of any final actions taken at such
112 meeting; and a record, by individual member, of any votes taken;
113 and any other information that the public body requests be
114 included or reflected in the minutes. The minutes shall be
115 recorded within * * * forty-eight (48) hours after recess or
116 adjournment * * *, shall be open to public inspection during
117 regular business hours, and shall be emailed to all the addresses
118 on the public notice list and posted on the webpage within
119 forty-eight (48) hours.



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

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

125 **SECTION 5.** This act shall take effect and be in force from
126 and after July 1, 2024.

