

House Bill 98

By: Representatives Lumsden of the 12th, Blackmon of the 146th, Fleming of the 121st, Oliver of the 82nd, Williamson of the 115th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
2 so as to provide conditions for meetings and public hearings to be held by teleconference in
3 emergency conditions; to provide conditions for certain agency members to participate in
4 nonemergency meetings by teleconference; to provide for related matters; to provide for an
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
9 by revising subsection (g) of Code Section 50-14-1, relating to meetings to be open to public,
10 limitation on action to contest agency action, recording, notice of time and place, access to
11 minutes, and teleconference, as follows:

12 "(g)(1) As used in this paragraph, emergency conditions shall include, but shall not be
13 limited to, declarations of federal, state, or local states of emergency.

14 (2) Under circumstances necessitated by emergency conditions involving public safety
15 or the preservation of property or public services, agencies or committees thereof not
16 otherwise permitted by subsection (f) of this Code section to conduct meetings by

17 teleconference may meet by means of teleconference so long as the notice required by
18 this chapter is provided and means are afforded for the public to have simultaneous
19 access to the teleconference meeting. The participation by teleconference of members
20 of agencies or committees means full participation in the same manner as if such
21 members were physically present. In the event such teleconference meeting is a public
22 hearing, members of the public must be afforded the means to participate fully in the
23 same manner as if such members of the public were physically present.

24 (3) On any ~~other~~ nonemergency occasion of the meeting of an agency or committee
25 thereof, and so long as a quorum is present in person, a member may participate by
26 teleconference if necessary due to reasons of health or absence from the jurisdiction so
27 long as the other requirements of this chapter are met. Such participation by
28 teleconference means full participation in the same manner as if such member was
29 physically present. Absent emergency conditions or the written opinion of a physician
30 or other health professional that reasons of health prevent a member's physical presence,
31 no member shall participate by teleconference pursuant to this subsection more than twice
32 in one calendar year."

33 **SECTION 2.**

34 This Act shall become effective upon its approval by the Governor or upon its becoming law
35 without such approval.

36 **SECTION 3.**

37 All laws and parts of laws in conflict with this Act are repealed.