

The House Committee on Governmental Affairs offers the following substitute to SB 95:

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; provided, however,  
14 that no such declaration shall be necessary for an agency as defined by subparagraph (A)  
15 of paragraph (1) of subsection (a) of this Code section to find that emergency conditions  
16 exist thereby necessitating meeting by teleconference.

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17 (2) Under circumstances necessitated by emergency conditions involving public safety  
18 or the preservation of property or public services, agencies or committees thereof not  
19 otherwise permitted by subsection (f) of this Code section to conduct meetings by  
20 teleconference may meet by means of teleconference so long as the notice required by  
21 this chapter is provided and means are afforded for the public to have simultaneous  
22 access to the teleconference meeting. The participation by teleconference of members  
23 of agencies or committees means full participation in the same manner as if such  
24 members were physically present. In the event such teleconference meeting is a public  
25 hearing, members of the public must be afforded the means to participate fully in the  
26 same manner as if such members of the public were physically present.

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

36 **SECTION 2.**

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

39 **SECTION 3.**

40 All laws and parts of laws in conflict with this Act are repealed.