

House Bill 1459

By: Representatives Lupton of the 83rd, Drenner of the 85th, Davis of the 87th, Tran of the 80th, and Oliver of the 84th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 14 of Title 50 of the Official Code of Georgia Annotated, relating to open
2 and public meetings, so as to allow the governing authority of any county or municipal
3 corporation to hold meetings by teleconference; to require such meetings to be viewable by
4 the public and to allow for commentary at such meetings without being physically present;
5 to allow the governing body of any agency whose membership is composed wholly of
6 nonelected members to hold meetings by teleconference; to provide for related matters; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

15 "(h)(1) The following bodies and committees thereof shall be authorized to conduct
16 meetings by teleconference, provided that any such meeting shall be considered to be

17 conducted in compliance with this chapter so long as the notice required by this chapter
18 is provided and, if fewer than a quorum of the members of a body or committee thereof
19 are physically present, means have been afforded for the public to have simultaneous
20 access to the teleconference meeting:

21 (A) Development authorities created pursuant to or authorized by the provisions of
22 Chapter 42 or Chapter 62 of Title 36, by or pursuant to Article IX, Section VI,
23 Paragraph III of the Georgia Constitution, or by or pursuant to any amendment to the
24 Constitution continued pursuant to the authority of Article XI, Section I, Paragraph IV
25 of the Constitution;

26 (B) Community improvement districts created pursuant to the provisions of Article IX,
27 Section VII of the Georgia Constitution;

28 (C) Hospital authorities created pursuant to Article 4 of Chapter 7 of Title 31;

29 (D) The board of trustees or other governing body of any large retirement system as
30 such term is defined in subsection (a) of Code Section 47-20-84;

31 (E) The board of trustees of any county or regional public library created pursuant to
32 Part 2 of Article 2 of Chapter 5 of Title 20; provided, however, that such meetings:

33 (i) Shall be held at a physical location with at least 50 percent of the board members
34 physically present; and

35 (ii) Shall provide one or more methods for public viewing of such meetings and
36 providing commentary at such meetings without being physically present at such
37 meetings; ~~and~~

38 (F) Community service boards created pursuant to Article 1 of Chapter 2 of Title 37;
39 provided, however, that such meetings:

40 (i) Shall be held at a physical location with at least 50 percent of the board members
41 physically present; and

42 (ii) Shall provide one or more methods for public viewing of such meetings and
 43 providing commentary at such meetings without being physically present at such
 44 meetings;

45 (G) The governing authority of any county or municipal corporation; provided,
 46 however, that such meetings provide one or more methods for public viewing of such
 47 meetings and providing commentary without being physically present at such meetings.

48 This subparagraph shall apply to meetings which:

49 (i) Are for the primary purpose of considering zoning related matters for which
 50 public hearings are required; or

51 (ii) Are meetings of a committee of the whole or other committee at which no official
 52 action will be taken; and

53 (H) The governing body of any agency whose membership is composed wholly of
 54 nonelected members.

55 (2) The participation by teleconference of members of such bodies or committees thereof
 56 means full participation in the same manner as if such members were physically present.
 57 In the event such teleconference meeting is a public hearing, and if fewer than a quorum
 58 of the members of a body or committee thereof are physically present, then members of
 59 the public shall be afforded the means to participate fully in the same manner as if such
 60 members of the public were physically present."

61 **SECTION 2.**

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