

H.F. 4507

Delete everything amendment (H4507DE1)

Subject Open Meeting Law

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Summary

This bill, as amended, allows a member of a public body to participate in an open meeting by interactive TV from a location not accessible to the public up to three times in a year if the member has been advised by a health care professional against being in a public place for personal or family medical reasons. This provision would only apply during a state of emergency declared under section 12.31 (such as the current declaration due to COVID-19), and expires 60 days after the removal of the state of emergency.

The bill also adds for all purposes of the section that all votes must be roll call votes.

Effective the day after enactment.

Background

Under the section of statute being amended, the open meeting law allows a meeting to be conducted by interactive television under certain conditions. One of the conditions is that each location at which a member of the governing body is present be open and accessible to the public.

In 2019, the legislature enacted a change to this provision to allow a member of a public body to participate by interactive TV from a location that is not open and accessible to the public if the member is serving in the military and is at a required drill, deployed, or on active duty. Under the 2019 change, the member cannot participate more than three times in a calendar year from a location that is not open or accessible to the public. The 2019 provision enacted also requires the meeting minutes to name each member participating by interactive television and why the member is participating that way. It was effective August 1, 2019.

The commissioner of administration issued an opinion in 2013 that attending a meeting using a web-based technology like Skype is like attending by interactive TV and is allowed as long as the requirements for attending by interactive TV are met. (Minn. Dept. of Admin. Advisory Op. 13-009.)

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