

HB 2560 A STAFF MEASURE SUMMARY

Carrier: Rep. Meek

House Committee On Rules**Action Date:** 03/18/21**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-1-1-0**Yeas:** 5 - Drazan, Fahey, Holvey, Salinas, Smith Warner**Nays:** 1 - Bonham**Exc:** 1 - Zika**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Melissa Leoni, LPRO Analyst**Meeting Dates:** 3/4, 3/18**WHAT THE MEASURE DOES:**

Requires all meetings held by a governing body of a public body, excluding executive sessions, to reasonably provide opportunity for members of the general public to access and attend the meeting by telephone, video, or other electronic or virtual means, and where in-person oral or written testimony is allowed, to allow oral testimony by telephone, video, or other electronic or virtual means and written testimony by electronic mail or other electronic means. Applies requirements to hearings under comprehensive land use and county planning and zoning statutes, but excludes contested case hearings under the Administrative Procedures Act.

ISSUES DISCUSSED:

- Making temporary COVID-19 provisions for public meetings permanent
- Lack of broadband in certain areas of the state necessary for meaningful virtual participation
- Applicability of requirements to all meetings and land use hearings
- Benefits of inclusion and public access
- Technology available to public bodies for hybrid meetings
- Language mitigating potential costs to public bodies

EFFECT OF AMENDMENT:

Changes written testimony requirement to allow submission of written testimony, including by electronic mail or other electronic means, so that the governing body is able to consider the submitted testimony in a timely manner.

BACKGROUND:

Representative forms of government depend upon an informed public that is aware of the deliberations and decisions of governing bodies and the information upon which such decisions are made. The intent of Oregon's Public Meetings Law is to ensure that the decisions of all public governing bodies are arrived at openly. "Public bodies" include the state; any regional council, county, city, or special district; any municipal or public corporation; or any agency of those entities, such as boards, departments, commissions, councils, bureaus, committees, subcommittees, or advisory groups. All meetings of public governing bodies must be open to the public unless an exception applies, such as executive session.

Public meetings may currently be conducted by "telephone or other electronic communication" with proper notice and when opportunity for public access is provided. For nonexecutive session meetings held by telephone or other electronic means, the public must be provided at least one place where it may listen to the meeting by speakers or other devices, or provided with the access code or other means to attend the meeting using electronic means. If electronic access is provided, the technology used must be sufficient to accommodate all

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attendees, and any costs associated with providing access may not be passed on to the public.

House Bill 2560 A requires all meetings held by a governing body of a public body to reasonably provide the general public with an opportunity to access and attend the meeting by telephone, video, or other electronic or virtual means, and to allow oral and written testimony by electronic or virtual means.