

HB 2560 -1 STAFF MEASURE SUMMARY

House Committee On Rules

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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 the opportunity to 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.

FISCAL: Minimal fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Making permanent the temporary COVID-19 provisions for public meetings
- Need for broadband
- Applicability to all meetings or land use hearings
- Inclusion and technology available to public bodies for hybrid meetings

EFFECT OF AMENDMENT:

-1 Changes in-person 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:

The Oregon form of government requires an informed public that is aware of the deliberations and decisions of governing bodies and the information upon which such decisions are made. It is the intent of Oregon Public Meetings Law that decisions of governing bodies be arrived at openly. Oregon's Public Meetings Law applies to any governing body of a public body. A "public body" is the state, any regional council, county, city or district, or any municipal or public corporation; or any agency of those entities, such as a board, department, commission, council, bureau, committee, subcommittee, or advisory group. All meetings of a governing body must be open to the public, unless the law permits the body to meet in executive session or otherwise provides an exception.

The Public Meetings Law allows meetings to be conducted by "telephone or other electronic communication" and requires that such meetings are subject to the Public Meetings Law. Notice and opportunity for public access must be provided when meetings are conducted by electronic means. 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 attendees, and any costs associated with providing access may not be passed on to the public.

House Bill 2560 requires meetings held by a governing body of a public body to reasonably provide the opportunity to the general public 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.