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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Matt DeVille.

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DIGEST

SB 201 Original

2023 Regular Session

Hewitt

Present law authorizes the State Bond Commission, pharmacy benefit manager monitoring advisory council, statewide advisory committees of the Louisiana State Board of Medical Examiners, committees and subcommittees of the Law Institute, and the Louisiana Military Family Assistance Board to conduct periodic meetings via electronic means outside of a gubernatorially declared state of disaster or emergency provided certain present law requirements, including notice and agenda publication and mechanisms for public participation, are met.

Present law further authorizes the Gaming Control Board to conduct emergency meetings via video conference as determined to be necessary by the chairman.

Proposed law repeals present law and establishes comprehensive eligibility requirements for a statewide public body or advisory council to hold a meeting via electronic means.

Proposed law defines "meeting via electronic means" as a meeting occurring via teleconference or video conference.

Proposed law allows statewide public bodies and advisory councils that meet a minimum of six times per year to meet via electronic means, provided provisions of proposed law are met.

Proposed law defines "statewide body" as a public body whose membership is not wholly appointed by a local governing authority and whose function is beyond a regional scope.

Proposed law defines "advisory council" as a subgroup of a statewide body whose function is purely advisory and does not possess decision-making authority

Proposed law requires meetings held via electronic means to originate from a physical anchor location.

Proposed law defines "anchor location" as the public location from which the public body normally holds in-person meetings.

Proposed law requires all meetings held via electronic means to provide a mechanism for public comment and remote participation.

Proposed law requires all meeting materials available to members of the public in attendance at the anchor location to be made available online to members of the public participating remotely.

Proposed law requires meetings held via electronic means to be clearly visible and audible to

members of the public at all times except for during executive session.

Proposed law requires a meeting held via electronic means to recess if a problem occurs that causes the meeting to no longer be visible or audible to the public until the problem is resolved. Further requires the meeting to adjourn if the problem is not resolved in less than two hours.

Proposed law dictates that an authorized statewide body or advisory council is prohibited from meeting via electronic means successively and further prohibits the total number of meetings held via electronic means from exceeding one-third of the public body's total yearly meetings.

Proposed law specifies that the Board of Elementary and Secondary Education, La. Board of Ethics, Board of Regents, State Civil Service Commission, La. Citizens Property Insurance Corp., State Board of Commerce and Industry, and the boards of supervisors for the state's higher education systems are prohibited from meeting via electronic means.

Proposed law authorizes the La. Commission for the Deaf, La. Developmental Disabilities Council, and state and regional advisory councils of the Office for Citizens with Developmental Disabilities to conduct any meeting via electronic means, provided provisions of proposed law are met.

Proposed law requires review of the policies and procedures of statewide bodies and advisory councils who elect to meet via electronic means by the office of the legislative auditor to ensure compliance and identify problems. Further requires the office of the legislative auditor to generate and issue a report on the findings along with proposals for legislation to the Senate and House governmental affairs committees.

Proposed law requires all in-person meetings of statewide public bodies and advisory councils to provide for remote public participation.

Proposed law requires all public bodies who are generally ineligible to hold meetings via electronic means to provide for a member of the body and members of the public with a disability recognized by the Americans with Disabilities Act to participate remotely via electronic means.

Effective August 1, 2023.

(Amends R.S. 42:17.2 and 17.3; adds R.S. 42:14(E); repeals R.S. 24:202(G), R.S. 27:11(G)(2), R.S. 42:29, and R.S. 46:123(M))