

**LEGISLATIVE FISCAL OFFICE
Fiscal Note**



Fiscal Note On: **SB 201** SLS 23RS 206
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

| | | |
|--|---------|--------------------------------|
| Date: May 22, 2023 | 5:01 PM | Author: HEWITT |
| Dept./Agy.: Public Bodies and Advisory Councils | | Analyst: Garrett Ordner |
| Subject: Electronic Meetings | | |

PUBLIC MEETINGS RE INCREASE SG EX See Note Page 1 of 2
 Provides for meetings of boards and commissions via electronic means. (8/1/23)

Proposed law establishes eligibility requirements for a statewide public body or advisory council to hold a meeting via electronic means. Proposed law requires all statewide bodies and advisory councils or committees to adopt rules, regulations, and procedures to allow the public to participate in in-person meetings via electronic means. Proposed law requires all other public bodies to adopt rules, regulations, and procedures to allow any member of the public with a disability recognized by the Americans with Disabilities Act to participate in meetings via electronic means and to allow any member of the public body with a disability to participate remotely via teleconference or videoconference. Proposed law provides limits on the number of times a statewide public body may meet successively via electronic means. Proposed law lists statewide bodies which may not hold meetings via electronic means and statewide bodies which may hold any meeting via electronic means. Proposed law provides for review by the Legislative Auditor of the policies and practices of statewide public bodies and advisory councils authorized to hold meetings by electronic means.

| EXPENDITURES | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Agy. Self-Gen. | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Annual Total | | | | | | |
| REVENUES | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 5 -YEAR TOTAL |
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

Proposed law will increase costs to statewide public bodies and advisory councils to the extent that these entities do not already have the means to broadcast meetings over the Internet and allow public participation in meetings by electronic means. While all of these costs are indeterminable, the LFO believes that the majority of statewide costs will be borne by self-funded boards and commissions. There will also be costs to local public bodies to the extent that they do not already have the means to allow public participation in meetings by individuals with disabilities by electronic means as well as participation by members of the public body with a disability through videoconference or teleconference.

The Capitol Complex contains multiple rooms currently used for broadcasting meetings to the public. To the extent that statewide bodies in the Capitol Complex can utilize these existing facilities, additional equipment purchases will not be necessary, and general fund costs for broadcasting meetings will be mitigated. However, many statewide public bodies which are not part of a scheduled budget unit, such as the self-funded occupational licensing boards, are headquartered far from the Capitol Complex. Some smaller occupational licensing boards do not have a permanent headquarters. If these public bodies do not currently have access to the necessary equipment for broadcasting their meetings, they will either need to invest in the necessary equipment or rent a location with the necessary equipment.

The Division of Administration (DOA), in consultation with a vendor, estimates that the cost for purchasing equipment necessary to broadcast a meeting, such as cameras, microphones, and associated hardware, ranges from \$25,000 to \$100,000 depending on the size of the room. DOA estimates that the cost to operate this equipment ranges from \$622 to \$2,465 per month. However, other sources suggest that small conference rooms can be equipped for less than \$10,000. The actual cost will depend upon the equipment used, the number of meetings held per year, and whether the body needs additional staff to operate the equipment.

EXPENDITURE EXPLANATION CONTINUED ON PAGE TWO

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

| | | |
|--|----------------------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

Evan Brasseaux
Evan Brasseaux
 Interim Deputy Fiscal Officer

**LEGISLATIVE FISCAL OFFICE
Fiscal Note**



Fiscal Note On: **SB 201** SLS 23RS 206
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

| | | |
|--|---------|--------------------------------|
| Date: May 22, 2023 | 5:01 PM | Author: HEWITT |
| Dept./Agy.: Public Bodies and Advisory Councils | | Analyst: Garrett Ordner |
| Subject: Electronic Meetings | | |

CONTINUED EXPLANATION from page one:

Page 2 of 2

EXPENDITURE EXPLANATION CONTINUED FROM PAGE ONE

For informational purposes, DOA reports that Zoom is the predominant video conference software utilized by state agencies. The cost for a commercial Zoom license starts at \$150 per year but may be higher depending on the needs of the meeting. Alternatives such as Skype and GoTo Meeting are also available. Additional features such as captioning and webinar software to provide moderated public participation and to send meeting materials to the public in real-time may pose additional costs. For example, a Zoom Webinars license for up to 500 attendees costs \$690 per year. Several statewide public bodies currently archive recordings of their meetings on Youtube, which does not charge for video storage. However, the proposed law states that statewide public bodies must store meeting archives on their website. If public bodies are required to host the recordings on their own websites, this will pose indeterminable video storage and web development costs.

The Legislative Auditor (LLA) estimates each review of policies and practices of statewide public bodies related to electronic meetings will cost \$100 to \$200. These costs will ultimately be borne by the public bodies being reviewed.

Proposed law requires all public bodies, including non-statewide public bodies, to allow members of the public body who have a disability to participate in the meeting by teleconference or videoconference. For small meetings, teleconferencing may be accomplished through the use of an ordinary telephone or cellphone. Large meetings which utilize a PA system may require a conference phone that can be connected to the meeting room's PA system. If multiple members of the public body attend via teleconference, the use of a teleconferencing service may be required as well. Conference phones can range in price from \$100 to more than \$500, and teleconferencing services generally cost \$10 to \$20 per month. However, such public bodies may already have access to the necessary teleconferencing equipment.

Proposed law also requires non-statewide public bodies to allow members of the public who have a disability to participate in the meeting by electronic means. The meaning of "participate by electronic means" is unclear. If such members of the public are simply directed to email their comments prior to the meeting, there would be no additional cost. If the proposed law instead requires live participation via phone, then the teleconferencing considerations described previously would apply. For hearing-impaired and speech-impaired individuals participating via teleconference, the state provides telecommunications accessibility services through Louisiana Relay free of charge.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
 Interim Deputy Fiscal Officer