



Government Relations Client Alert

Oklahoma Open Meeting Act Revised to Ease Restrictions on Teleconferences and Videoconferences During Coronavirus Pandemic

By Adam C. Doverspike
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Motivated by the coronavirus pandemic, the Oklahoma Legislature moved quickly this week to expand the use of teleconferences and videoconferences by public bodies, including public agencies, boards and commissions. On March 18, 2020, [the Governor signed SB661](#), which temporarily revises Oklahoma's Open Meeting Act to permit wider use of remote meeting capabilities. The bill took effect immediately.

Temporary Revisions Apply During Oklahoma's Declared State Of Emergency

The temporary revisions only apply through November 15, 2020 or the end of the current declared state of emergency related to the COVID-19 pandemic, whichever comes first.

Temporary Revisions Enable Entirely Remote Meetings

The temporary revisions permit all participants to participate remotely. Previously, public agencies and boards could use videoconferencing, but a quorum was required to be present in person. Even under the new rules, each board member must be "audible or visible" to the other board members and to the public.

The temporary revisions also permit *executive sessions* by teleconference or videoconference. Previously, executive sessions could not be conducted remotely. Remote executive sessions must comply with the regular notice and agenda provisions, including noting whether each board member will attend remotely or in person.

Every teleconference or videoconference public meeting must be recorded either by electronic or written means.

Notice and Agenda Requirements Revised to Include Remote Participation Details

The meeting notice and agenda must indicate if the meeting will include teleconferencing or videoconferencing. The meeting notice and agenda must also state whether each board member will be appearing remotely, the method of each member's remote appearance, and the identity of members who will be physically present at the meeting site.

After the meeting notice and agenda are posted, members may not switch to remote participation. But members may switch from remote participation to attending in person.

The temporary revisions also remove the requirement to physically post notices of public meetings at the principal office of the public body. All other notice requirements remain in effect.

Public Permitted to Participate Remotely

In a meeting that utilizes teleconferencing or videoconferencing, the public must be allowed to participate and speak via teleconference and videoconference in the same manner and extent as the public is permitted to participate in person. Also, any materials shared electronically among board members must be “immediately available” to the public in the same form as shared among the board members.

If you have any questions on any aspects of these revisions, please contact your Gable attorney or a member of the [Government Relations team](#).



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