

COMPLETE BILL HISTORY

BILL NUMBER : S.B. No. 103
AUTHOR : Liu
TOPIC : State government: meetings.

TYPE OF BILL :

Active
Non-Urgency
Non-Appropriations
Majority Vote Required
Non-State-Mandated Local Program
Fiscal
Non-Tax Levy

BILL HISTORY

2011

June 29 From committee with author's amendments. Read second time and amended. Re-referred to Com. on G.O.
June 14 From committee with author's amendments. Read second time and amended. Re-referred to Com. on G.O.
June 13 Referred to Com. on G.O.
June 2 In Assembly. Read first time. Held at Desk.
June 2 Read third time. Passed. (Ayes 39. Noes 0. Page 1281.) Ordered to the Assembly.
May 31 Ordered to special consent calendar.
May 27 Read second time. Ordered to third reading.
May 26 From committee: Do pass. (Ayes 8. Noes 0. Page 1112.) (May 26).
May 20 Set for hearing May 26.
May 9 Placed on APPR. suspense file.
Apr. 29 Set for hearing May 9.
Apr. 26 Read second time and amended. Re-referred to Com. on APPR.
Apr. 25 From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 12. Noes 0. Page 617.) (April 12).
Mar. 15 Set for hearing April 12.
Mar. 10 Re-referred to Com. on G.O.
Mar. 1 From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
Feb. 10 Referred to Com. on RLS.
Jan. 13 From printer. May be acted upon on or after February 12.
Jan. 12 Introduced. Read first time. To Com. on RLS. for assignment. To print.

BILL NUMBER: SB 103 AMENDED
BILL TEXT

AMENDED IN ASSEMBLY JUNE 29, 2011
AMENDED IN ASSEMBLY JUNE 14, 2011
AMENDED IN SENATE APRIL 26, 2011
AMENDED IN SENATE MARCH 1, 2011

INTRODUCED BY Senator Liu

JANUARY 12, 2011

An act to amend Section 11123 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 103, as amended, Liu. State government: meetings.

Existing law authorizes a state body to conduct teleconference meetings.

This bill would authorize a state body, to the extent practicable, to conduct teleconference meetings.

This bill would require, upon the request of a member of a state body, a state body to hold an open or closed meeting by teleconference, unless the chair of that state body determines that it would be more costly to hold the meeting by teleconference than it would be to hold it in person. ~~This bill would provide that a member of a state body may request a meeting by teleconference for any reason that would make it more difficult or burdensome for that member to attend a meeting in person.~~ This bill would prohibit a member of a state body from requesting a meeting by teleconference solely because it would be more convenient than holding a meeting in person.

This bill would require a state body that operates an Internet Web site to provide a supplemental live audio or video broadcast on the Internet Web site of its board meetings that are open to the public, and would specify that a technical failure to provide a live broadcast would not prohibit the body from meeting and taking actions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following:

(a) That teleconferencing is a green technology, allowing organizations to mitigate energy use by dramatically reducing the need to travel.

(b) By communicating over video or telephone, organizations can also substantially reduce their carbon footprint by reducing the need to travel via high-emission methods, such as flying or driving.

(c) Teleconferencing saves money by reducing the number of trips taken annually, and this monetary savings is multiplied by the cost of transportation to and from the airport, the flight, per diem expenses, salary of time lost in traveling, and other incidental expenses of travel.

(d) The amount saved by teleconferencing greatly exceeds the minimal cost of investing and implementing teleconferencing solutions, such as the cost for new equipment, services, and

training.

(e) Therefore, it is the intent of the Legislature that state bodies, to the extent possible, conduct teleconference meetings in order to save the environment and save the state money.

SEC. 2. Section 11123 of the Government Code is amended to read:

11123. (a) All meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article.

(b) (1) A state body may, to the extent practicable, hold an open or closed meeting by teleconference for the benefit of the public and the state body.

(2) Upon the request of a member of a state body, the state body shall hold an open or closed meeting by teleconference, unless the chair of the state body determines that it would be more costly to hold the meeting by teleconference than it would be to hold it in person.

~~(3) - A member of a state body may request a meeting by teleconference for any reason that would make it more difficult or burdensome for that member to attend a meeting in person, including, but not limited to, cost, disability, or health. A member~~

(3) A member of a state body shall not request a meeting by teleconference solely because it would be more convenient than holding a meeting in person.

(4) The meeting or proceeding held by teleconference pursuant to this subdivision shall otherwise comply with all applicable requirements or laws relating to a specific type of meeting or proceeding, including all of the following:

(A) The teleconferencing meeting shall comply with all requirements of this article applicable to other meetings.

(B) The portion of the teleconferenced meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting.

(C) If the state body elects to conduct a meeting or proceeding by teleconference, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. The agenda shall provide an opportunity for members of the public to address the state body directly pursuant to Section 11125.7 at each teleconference location.

(D) All votes taken during a teleconferenced meeting shall be by rollcall.

(E) The portion of the teleconferenced meeting that is closed to the public may not include the consideration of any agenda item being heard pursuant to Section 11125.5.

(F) At least one member of the state body shall be physically present at the location specified in the notice of the meeting.

(5) For the purposes of this subdivision, "teleconference" means a meeting of a state body, the members of which are at different locations, connected by electronic means, through either audio or both audio and video. This section does not prohibit a state body from providing members of the public with additional locations in which the public may observe or address the state body by electronic means, through either audio or both audio and video.

(c) (1) If a state body operates an Internet Web site, the state body shall, subject to all otherwise applicable requirements of this article, provide a supplemental live audio or video broadcast on its Internet Web site of each of its meetings that are open to the public.

(2) If a technical failure prevents the body from providing a live

broadcast on its Internet Web site pursuant to this subdivision, that failure shall not constitute a violation of this section if the body exercised reasonable diligence in providing the live broadcast.

(3) Failure to provide a live broadcast due to a technical failure shall not prohibit the body from meeting and taking actions as otherwise provided by law.