

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1664

By: Cantrell

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5
6 AS INTRODUCED

7 An Act relating to county commissioners; amending 19
8 O.S. 2021, Section 326, which relates to meetings;
9 exempting county commissioners from certain Open
10 Meeting Act requirements; allowing county
11 commissioners to discuss administrative, operational,
12 and procedural matters in certain circumstances;
13 clarifying limits to exemption; allowing county
14 commissioners to participate in conferences,
15 trainings, and events under certain circumstances;
16 authorizing county commissioners to participate in
17 legislative meetings in certain circumstances;
18 authorizing county commissioners to discuss budgetary
19 matters in certain circumstances; amending 56 O.S.
20 2021, Section 625.2, which relates to the Statewide
21 Independent Living Council; allowing Council
22 videoconferencing under certain circumstances;
23 permitting the Council to conduct executive sessions
24 by videoconference under certain circumstances; and
declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 2021, Section 326, is
amended to read as follows:

Section 326. A. In addition to the special sessions for
equalizing assessments, and all other special sessions now provided
by law, the county commissioners shall meet and hold sessions for

1 the transaction of business in the county courthouse, at the county
2 seat, on or before the first Monday of each month, and may remain in
3 session as long as the public business may require, and the passing
4 upon, allowing or rejecting of bills against the county shall be
5 taken up and passed upon by the board in the order in which the
6 claims have been filed, and in which order such claims must be
7 entered upon the calendar, except salary, wage and compensation
8 claims of officers and deputies and employees, which salary, wage
9 and compensation claims may be considered and paid, on or after the
10 termination of the service pay period; provided, that such claims by
11 subordinate deputies and employees be first approved by the officer
12 having charge of the office or department. The board of county
13 commissioners may recess or adjourn its meetings within the session,
14 either from time to time or from day to day, or on call of the
15 chairman; but, if such board does not sooner adjourn its session for
16 any month, such session shall terminate and be adjourned by
17 operation of law on the last business day of such month. If the
18 board shall have adjourned its session before the last business day
19 of any month, the county clerk shall have power to call special
20 sessions when the best interests of the county demand it, upon
21 giving five (5) days' notice of the time and object of calling the
22 commissioners together, by posting up notices in three public places
23 in the county, or by publication in some newspaper of general
24 circulation in the county; provided, that in the case of a vacancy

1 in the office of county clerk, the ~~chairman~~ chair of the board shall
2 have power to call a special session for the purpose of filling such
3 vacancy.

4 B. The board of county commissioners may meet at times and in
5 places within the county other than the county courthouse if it is
6 determined that such meetings are beneficial to the general public.
7 Such meetings shall be in compliance with the Oklahoma Open Meeting
8 Act.

9 C. Notwithstanding the provisions of the Oklahoma Open Meeting
10 Act, county commissioners may discuss administrative, operational,
11 and procedural matters of the board of county commissioners between
12 or among commissioners, even if a quorum is present, provided the
13 discussions do not address appropriation of funds and no official
14 action is taken. The administrative, operational, and procedural
15 matters authorized under this subsection shall be limited to the
16 following:

- 17 1. Scheduling of agenda items to be set before the board of
18 county commissioners for an emergency, regular, or special meeting;
- 19 2. Discussing public and media statements;
- 20 3. Discussing organizational structure;
- 21 4. Discussing internal processes;
- 22 5. Discussing staffing needs;
- 23 6. Receiving updates from county staff on the business of the
24 county; and

1 7. Conducting regular staff meetings where discussions of the
2 day-to-day management of the county occur.

3 D. County commissioners may attend and participate in
4 conferences, trainings, and educational, press, and social events,
5 even if a quorum is present, provided that no official action is
6 taken and any discussion of the business of the board of county
7 commissioners is incidental to the event.

8 E. County commissioners may attend and participate in meetings
9 and proceedings of the Legislature, even if a quorum is present,
10 provided that no official action is taken.

11 F. In budget board counties, county commissioners and other
12 county elected officers may discuss budgetary matters provided that
13 a quorum of the county budget board is not present, and no official
14 action is taken.

15 SECTION 2. AMENDATORY 56 O.S. 2021, Section 625.2, is
16 amended to read as follows:

17 Section 625.2. A. There is hereby created the Statewide
18 Independent Living Council which shall be established pursuant to
19 the federal Rehabilitation Act of 1973, Public Law 93-112, codified
20 at 29 U.S.C., Section 701 et seq., as amended.

21 B. The duties of the Council shall be those as set forth in the
22 federal Rehabilitation Act of 1973, as amended.

23 C. Subject to the availability of state funds other than those
24 appropriated to the Department of Rehabilitation Services for the

1 purpose of providing independent living services to its clients, and
2 in accordance with the State Plan for Independent Living, the
3 Department of Rehabilitation Services, in joint effort with the
4 Statewide Independent Living Council, may contract with independent
5 living centers for the purpose of providing independent living
6 services to individuals with disabilities and their families.

7 D. The Council shall be permitted to hold meetings through
8 videoconferencing, provided that:

9 1. Each member of the Council is audible or visible to each
10 other and the public;

11 2. The meeting notice and agenda prepared in advance of the
12 meeting, as required by the Oklahoma Open Meeting Act, shall
13 indicate if the meeting will include videoconferencing and shall
14 also state:

15 a. each Council member appearing remotely, and

16 b. the identity of the Council member or members who will
17 be physically present at the meeting site, if any;

18 3. After the meeting notice and agenda are prepared and posted
19 as required by law, Council members shall not be permitted to alter
20 their method of attendance; provided, however, those members who
21 were identified as appearing remotely may be permitted to physically
22 appear at the meeting site, if any, for the meeting;

23 4. The Council shall be permitted to participate and speak, as
24 allowed by rule or policy set by the Council, in a meeting which

1 utilizes teleconference or videoconference in the same manner and to
2 the same extent as the public is allowed to participate or speak
3 during a meeting where all public body members are physically
4 present together at the meeting site;

5 5. Unless confidential or privileged by applicable law, any
6 documents or other materials provided to members of the Council or
7 shared electronically between members of the Council during a
8 meeting utilizing teleconferencing or videoconferencing shall also
9 be immediately available to the public on the Council's website;

10 6. All votes occurring during any meeting utilizing
11 teleconference or videoconference shall occur and be recorded by
12 roll call votes;

13 7. The Council abides by all other requirements of the Oklahoma
14 Open Meeting Act.

15 E. The Council is permitted to conduct an executive session by
16 videoconference. For such executive sessions, no Council member is
17 required to be physically present so long as each Council member is
18 audible or visible to each other. The meeting notice and agenda
19 prepared in advance of the meeting as required by law shall indicate
20 if the executive session will include videoconferencing and shall
21 also state the identity of each Council member appearing remotely,
22 and whether any member will be physically present at the meeting
23 site, if any, for the executive session.

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1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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