

## Going Virtual: Open Meetings Law Changes

*Louisiana Legislature considering bill to broaden online access to public meetings, but with guardrails to ensure citizen participation*

Now that the COVID-19 pandemic upended how people hold meetings, Louisiana's lawmakers are weighing adjustments to the state's open meetings law that would let many statewide public bodies conduct more of their business through online hearings.

The Public Affairs Research Council of Louisiana is excited about Sen. Sharon Hewitt's bill, which would create a strong framework to allow more remote participation in public meetings while still protecting citizens' access to the workings of their government agencies.

The legislation ([Senate Bill 201](#)) grew from recommendations of a study group that Hewitt formed last year at PAR's request. The Task Force on Remote Operations of Public Entities stemmed from concerns that public boards and commissions were seeking to haphazardly rewrite Louisiana's open meetings law to move to virtual meetings.

The goal of the task force work – and the bill – is to give people who serve on those boards and commissions the ability to fit the work around their schedules, while also broadening public access to their meetings, including for people with disabilities who may have difficulty traveling long distances.

PAR held one of the task force's seven seats and helped craft the suggestions contained in Hewitt's bill, which already received Senate passage in the legislative session and awaits House debate. The measure takes a cautious and thoughtful approach that ensures consistency and public access. Most importantly, it preserves the rights of citizens to monitor and comment on actions of public bodies and government agencies that manage taxpayer money or set policy.

The uniform requirements for remote meetings build off a successful template established for the Bond Commission, which received temporary permission from lawmakers in 2020 to hold virtual meetings. The approach, with an in-person anchor location in addition to the online option for attendance, won enough praise that lawmakers permanently changed the law in 2022 to allow the commission to hold one online meeting per quarter during a year.

Hewitt's bill would allow most statewide public bodies that meet at least six times a year to hold some of their meetings remotely, along with any advisory council to a statewide body if the advisory council doesn't have decision-making authority. The entities could only hold one-third of their yearly meetings virtually.

The remote meeting, even though held online by either teleconference or video conference, would have to include a physical location where the presiding officer would conduct the meeting and where the public could participate in person. All votes would have to be done via a roll call so

people can hear individual members' decisions. And the meetings would have to be broadcast over the internet, recorded and posted in an online archive.

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The entities allowed to hold remote meetings would have to post their meeting agendas 24 hours ahead of time and include detailed information about how people can participate in the meeting and submit comments. They'd also have to follow other existing open meetings and public records protections.

A handful of state boards and commissions that advocate for people with disabilities would be able to hold all their meetings remotely, if they followed the other requirements in the guidelines.

Several statewide policy-making boards, however, would be prohibited from holding virtual meetings amid suggestions their work is so important that they should continue to gather in one location to conduct business, including:

- Board of Elementary and Secondary Education
- Board of Regents
- Board of Ethics
- State Civil Service Commission
- Louisiana Citizens Property Insurance Corporation
- Board of Commerce and Industry
- Boards of Supervisors for the LSU System, University of Louisiana System, Louisiana Community and Technical College System and the Southern University System
- Parish boards of election supervisors

Meanwhile, the bill also would require all public bodies to adopt rules to allow anyone with a federally recognized disability – whether a member of the body or someone from the public – to participate in meetings remotely.

PAR hopes the Legislature will see the importance of modernizing our open meetings laws in the post-COVID era, while recognizing the bill won't fix everyone's access concerns. Many people will want to continue attending hearings in person, for example, because that may give them more opportunities to provide spoken public testimony than watching from a computer or smartphone will allow.

The legislative auditor's office will track the new law, if it passes, and changes will almost certainly be needed to adapt to evolving technology and respond to problems that arise. But it's a significant first step.