

The Texas Open Meetings Act

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What We'll Learn

- What bodies it applies to
- What is a meeting
- Notice requirements
- Executive sessions
- Violations

What Entities are Subject to the Act?

- A ***governmental body*** as ***expressly defined*** in the Act
- Entities ***required by other law*** to comply with the Act
- A ***board or committee*** of an ***entity that is subject to the Act***

What is a Meeting?

- ***A meeting =***
 - A quorum
 - Public business
- ***AND***
 - Deliberation; ***OR***
 - The city ***called the meeting or conducts or is responsible for the meeting and the members receive information from any third person.***

What is a Meeting?

Examples:

Formal meeting

Attendance at another entity's meeting

Attendance at a city's board or committee meeting

Social situations

Workshops

Using the restroom

E-mail

Circumvention and “*walking quorum*”



Notice Requirements

- *Agenda*
- *Specificity*
- *Internet posting*
- *Emergency meeting or supplemental posting*
- *Recordkeeping*: Minutes or tape

Executive Sessions

Statutory Authorization

Common executive session provisions:

- *Real Property Deliberations*
- *Personnel Matters*
- *Economic Development*
- *Consultation with Attorney*

Violations

- An action taken in violation of the Act is ***voidable***
- Participating in a closed meeting “knowing that a certified agenda . . . or . . . a tape recording . . . is not being made”
- Knowingly disclosing a certified agenda or tape recording of a closed meeting to a member of the public
- **Knowingly conspiring to circumvent the Act “by meeting in numbers less than a quorum for the purpose of secret deliberations”**
- **Knowingly calling, aiding in calling, organizing or participating in a closed meeting**

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