

## BILL ANALYSIS

Senate Research Center

S.B. 690  
By: Zaffirini  
State Affairs  
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As Filed

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the Open Meetings Act does not address the situation where a governmental body recesses from day to day when addressing particularly long subject matter. Furthermore, notification of a meeting must be posted 72 hours in advance. The Government Code contains exceptions to the posting requirement, but no exception addresses the situation of a day to day recess.

There are existing attorney general opinions that allow a governmental body to recess until the following day without having to post notification. According to the opinions, the recess until the next day is permitted when dealing with long subject matter that the governmental body is unable to finish during the original open meeting.

As proposed, S.B. 690 codifies several attorney general opinions to allow a governmental body to recess to the following regular business day without having to post notification of the meeting if the action is done in good faith.

An additional provision considers a catastrophic event that prohibits the governmental body from adjourning on the following regular business day. In such an event, the governmental body is permitted to continue the meeting on the following regular business day after the catastrophic event without having to repost notification.

### RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 551, Government Code, by adding Section 551.0411, as follows:

Sec. 551.0411. NOTICE OF MEETING CONTINUED TO FOLLOWING DAY. (a) Provides that Section 551.041 (Notice of Meeting Required) does not require a governmental body that recesses a meeting to the following regular business day to post notice of the continued meeting if the action is taken in good faith and not to circumvent this chapter.

(b) Authorizes, if because of a catastrophe the governmental body is prevented from convening the continued meeting on the following regular business day, the governmental body to convene the continued meeting on the next regular business day without posting notice of the continued meeting under Section 551.041.

(c) Defines "catastrophe."

SECTION 2. Effective date: upon passage or September 1, 2005.