

## **BILL ANALYSIS**

Senate Research Center  
86R15395 TJB-D

H.B. 2840  
By: Canales et al. (Hughes)  
Business & Commerce  
5/15/2019  
Engrossed

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

It has been suggested that the practice of the governing bodies of certain political subdivisions to provide for public input and comment only at the conclusion of a meeting of the governing body makes it too difficult for the public to properly weigh in on decisions being made because they are forced to wait through the entire meeting to provide an opinion on any subject matter being addressed at the meeting. H.B. 2840 seeks to give the public increased access to the decision-making process by providing for public comment before or during the consideration of each item on the meeting agenda.

H.B. 2840 amends current law relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to a governmental body in SECTION 1 (Section 551.007, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 551, Government Code, by adding Section 551.007, as follows:

Sec. 551.007. PUBLIC TESTIMONY. (a) Provides that this section applies only to a governmental body described by Sections 551.001(3)(B)-(L) (relating to certain entities included in the definition of "governmental body").

(b) Requires a governmental body to allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body's consideration of the item.

(c) Provides that a governmental body to adopt reasonable rules regarding the public's right to address the body under this section, including rules that limit the total amount of time that a member of the public may address the body on a given item.

(d) Provides that this subsection applies only if a governmental body does not use simultaneous translation equipment in a manner that allows the body to hear the translated public testimony simultaneously. Provides that a rule adopted under Subsection (c) that limits the amount of time that a member of the public may address the governmental body is required to provide that a member of the public who addresses the body through a translator is required to be given at least twice the amount of time as a member of the public who does not require the assistance of a translator in order to ensure that non-English speakers receive the same opportunity to address the body.

(e) Prohibits a governmental body from prohibiting public criticism of the governmental body, including criticism of any act, omission, policy, procedure,

program, or service. Provides that this subsection does not apply to public criticism that is otherwise prohibited by law.

SECTION 2. Effective date: September 1, 2019.