

HCS HB 2725 -- SUNSHINE LAW

SPONSOR: Coleman (97)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 12 to 2. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 5 to 0.

The following is a summary of the House Committee Substitute for HB 2725.

This bill specifies that public access to meetings of public governmental bodies may be restricted in the event of an outbreak of contagious illness resulting in the Governor or General Assembly declaring a state of emergency. Such access may be restricted only during the period that an emergency exists or continues. Meetings restricted under these provisions must be live streamed online and accessible to the public if reasonably possible. If not live streamed, the meetings must be video and audio recorded and made accessible to the public within 24 hours after the meeting. Members of the public will be able to submit written testimony to the public governmental body, and the testimony must be presented at the meeting, made part of the official record, and made accessible to the public within 48 hours after the meeting. Bona fide credentialed members of the press will be allowed to attend any meeting closed under these provisions.

This bill also amends the current open records and meetings exemption regarding hotlines for reporting abuse or wrongdoing so that records relating to all such hotlines and not just municipal hotlines can be closed and the current exemption regarding nonjudicial mental or physical health proceedings to also include mental or physical health records.

The bill contains an emergency clause.

PROPONENTS: Supporters say that this tries to codify the changes we made to the rules last year to implement Clean Missouri. This helps preserve transparency and accountability but also helps protect the public. The substitute is not meant to limit access for the public, but we have to be able to do what is reasonable so we can address any public health crisis. Our constitution prohibits us from closing our doors, so we are doing our best to keep them open while also being responsible.

Testifying for the bill was Representative Coleman.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that it is not unusual to have amended language presented at the last minute, but it is impossible to get the written testimony from the public submitted to the committee for the meeting when changes are made last minute. The language is structured in such a way that it could be interpreted to allow only certain press organizations to attend the meetings. It is good that there is a provision in the bill to allow this only when there is a state of emergency and that there is a provision specifying by when video has to be made available to the public.

Testifying on the bill were Heath Clarkston, Missouri Broadcasters Association; David Roland; Jean Maneke, Missouri Press Association.