

2023 Regular Session

SENATE BILL NO. 138

BY SENATOR HENSGENS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC MEETINGS. Allows the Louisiana Historical Records Advisory Board to conduct meetings via electronic means. (gov sig)

1 AN ACT

2 To enact R.S. 42:17.4, relative to meetings of the Louisiana Historical Records Advisory

3 Board; to authorize certain meetings to be conducted electronically; to provide for

4 public notice and participation requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:17.4 is hereby enacted to read as follows:

7 **§17.4. Exception for meetings of the Louisiana Historical Records Advisory**

8 **Board**

9 **A. Notwithstanding any other provision of this Chapter to the contrary,**

10 **the Louisiana Historical Records Advisory Board may conduct and its members**

11 **may attend and participate in meetings via electronic means provided the board**

12 **and its presiding officer comply with all of the requirements of this Section.**

13 **B. For the purposes of this Section, the following definitions apply:**

14 **(1) "Meeting via electronic means" shall mean a meeting occurring via**

15 **teleconference or video conference.**

16 **(2) "Teleconference" shall mean a method of communication which**

17 **enables persons in different locations to participate in a meeting and to hear**

1 and otherwise communicate with each other.

2 (3) "Video conference" shall mean a method of communication which
3 enables persons in different locations to participate in a meeting and to see,
4 hear, and otherwise communicate with each other.

5 C. No later than twenty-four hours prior to a meeting conducted
6 pursuant to the provisions of this Section, the board shall provide for all of the
7 following:

8 (1) A physical anchor location from which the meeting shall originate
9 and at which the presiding officer of the meeting shall be present and conduct
10 the meeting. Any member of the board or the public may participate in person
11 at the anchor location.

12 (2) The notice and agenda for the meeting and detailed information
13 regarding how members of the public may participate and submit comments
14 regarding matters on the agenda, which shall be posted on the website of the
15 secretary of state and emailed to any member of the public or the news media
16 who requests notice of meetings of the board.

17 D. For each meeting conducted pursuant to this Section, the following
18 requirements shall apply:

19 (1) The board shall provide a mechanism to receive public comment
20 electronically both prior to and during the meeting.

21 (2) The board shall properly identify and acknowledge all public
22 comments during the meeting and shall maintain those comments in its record
23 of the meeting.

24 (3) The presiding officer of the board shall ensure both of the following:

25 (a) That each person participating in the meeting is properly identified.

26 (b) That all parts of the meeting, excluding any matter discussed in
27 executive session, are clear and audible to all participants in the meeting
28 including the public.

29 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
4 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Matt DeVille.

DIGEST

SB 138 Original 2023 Regular Session Hensgens

Present law provides for a 15-member La. Historical Records Advisory Board, specifying that the secretary of state is the board chair.

Proposed law provides that the La. Historical Records Advisory Board may conduct and its members may attend and participate in meetings via electronic means if the board and its presiding officer comply with all the requirements of proposed law.

Proposed law provides for public notice and participation requirements including the publication, no later than 24 hours prior to a meeting conducted via electronic means, of a notice and agenda for the meeting and detailed information regarding how members of the public may participate in the meeting and submit comments regarding matters on the agenda. Further requires the board to provide a mechanism to receive public comment electronically both prior to and during the meeting and to properly identify and acknowledge all public comments during the meeting and maintain those comments in its record of the meeting.

Proposed law provides that the presiding officer of the board shall ensure that each person participating in the meeting is properly identified and all parts of the meeting, excluding any matter discussed in executive session, are clear and audible to all participants in the meeting including the public.

Proposed law defines "meeting via electronic means", "teleconference", and "video conference".

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 42:17.4)