

House Bill 98 (AS PASSED HOUSE AND SENATE)

By: Representatives Lumsden of the 12<sup>th</sup>, Blackmon of the 146<sup>th</sup>, Fleming of the 121<sup>st</sup>, Oliver of the 82<sup>nd</sup>, Williamson of the 115<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,  
2 so as to provide conditions for meetings and public hearings to be held by teleconference in  
3 emergency conditions; to provide for related matters; to provide for an effective date; to  
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
8 by revising subsection (g) of Code Section 50-14-1, relating to meetings to be open to public,  
9 limitation on action to contest agency action, recording, notice of time and place, access to  
10 minutes, and teleconference, as follows:

11 "(g)(1) As used in this paragraph, emergency conditions shall include declarations of  
12 federal, state, or local states of emergency; provided, however, that no such declaration  
13 shall be necessary for an agency as defined by subparagraph (A) of paragraph (1) of  
14 subsection (a) of this Code section to find that emergency conditions exist thereby  
15 necessitating meeting by teleconference.

16 (2) Under circumstances necessitated by emergency conditions involving public safety  
17 or the preservation of property or public services, agencies or committees thereof not  
18 otherwise permitted by subsection (f) of this Code section to conduct meetings by  
19 teleconference may meet by means of teleconference so long as the notice required by  
20 this chapter is provided and means are afforded for the public to have simultaneous  
21 access to the teleconference meeting. The participation by teleconference of members  
22 of agencies or committees means full participation in the same manner as if such  
23 members were physically present. In the event such teleconference meeting is a public  
24 hearing, members of the public must be afforded the means to participate fully in the  
25 same manner as if such members of the public were physically present.  
26 (3) On any other occasion of the meeting of an agency or committee thereof, and so long  
27 as a quorum is present in person, a member may participate by teleconference if  
28 necessary due to reasons of health or absence from the jurisdiction so long as the other  
29 requirements of this chapter are met. Absent emergency conditions or the written opinion  
30 of a physician or other health professional that reasons of health prevent a member's  
31 physical presence, no member shall participate by teleconference pursuant to this  
32 subsection more than twice in one calendar year."

33 **SECTION 2.**

34 This Act shall become effective upon its approval by the Governor or upon its becoming law  
35 without such approval.

36 **SECTION 3.**

37 All laws and parts of laws in conflict with this Act are repealed.