

BILL ANALYSIS

Senate Research Center
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H.B. 630
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas health and human services agencies conduct a variety of open meetings that include the consideration of new payment rates and the deliberations of advisory committees. Concerns have been raised that the lack of online access to some of these meetings presents a barrier to interested Texans who cannot attend the meetings in person. H.B. 630 seeks to improve transparency and increase public engagement by providing for online broadcasts of health and human services agency open meetings.

Specifically, the bill would amend the Government Code to require the Health and Human Service Commission, Department of Family and Protective Services, Department of State Health Services, and advisory committees to broadcast open meetings live over the Internet and archive broadcasts online for two years. The bill would take effect September 1, 2017, but apply only to open meetings that take place on or after September 1, 2023.

H.B. 630 amends current law relating to the Internet broadcast and archiving of open meetings of the Health and Human Services Commission, health and human services agencies, and related advisory entities.

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 Section 531.0121, Government Code, by amending Subsection (c) and adding Subsection (e), as follows:

(c) Requires the Health and Human Services Commission (HHSC) to make available on HHSC's Internet website, among other items, streaming live video and audio of each advisory committee meeting.

(e) Requires HHSC to ensure that advisory committee meetings are broadcast, are archived on the Internet website of the agency to which the advisory committee provides advice, and are subject to public notice requirements to the same extent and in the same manner that the broadcast, archiving, and notice of agency meetings are required under Section 531.0165.

SECTION 2. Amends Subchapter A, Chapter 531, Government Code, by adding Section 531.0165, as follows:

Sec. 531.0165. INTERNET BROADCAST AND ARCHIVE OF OPEN MEETINGS. (a) Defines "agency" to mean HHSC or a health and human services agency.

(b) Requires each agency to broadcast over the Internet live video and audio of each open meeting of the agency, make a video and audio recording of reasonable quality of the broadcast, and provide access to the archived video and audio on the agency's Internet website.

(c) Requires the agency, not later than a certain date, to make available through the agency's Internet website archived video and audio of the open meeting. Requires the agency to maintain the archived video and audio of the open meeting on the agency's Internet website for a certain amount of time.

(d) Requires each agency to provide on the agency's Internet website the same notice of the open meeting that the agency is required to post under Subchapter C (Notice of Meetings), Chapter 551 (Open Meetings). Requires that the notice be posted on the agency's Internet website within a certain time.

(e) Authorizes each agency to use for an Internet broadcast of an open meeting of the agency a room made available to the agency on request in any state building, as that term is defined by Section 2165.301 (Definitions).

(f) Provides that each agency is exempt from the requirements of this section to the extent a catastrophe, as defined by Section 551.0411 (Meeting Notice Requirements In Certain Circumstances), or a technical breakdown prevents the agency from complying with this section. Requires the agency, following the catastrophe or technical breakdown, to make all reasonable efforts to make the required video and audio of the open meeting available in a timely manner.

(g) Requires HHSC to consider contracting through competitive bidding with a private individual or entity to broadcast and archive an open meeting subject to this section to minimize the cost of complying with this section.

(h) Provides that the requirements of this section also apply to the meetings of any advisory body that advises the executive commissioner of HHSC or an agency. Requires that the archived video and audio of an advisory body's meeting be made available through the Internet website of the agency to which the advisory board provides advice.

SECTION 3. Amends Sections 531.0051(g) and (m), Government Code, as follows:

(g) Requires the HHSC Executive Council (council) to comply with the requirements of Section 531.0165. Requires that the archived video and audio of a council meeting be made available through HHSC's Internet website. Deletes existing text requiring the council to give public notice of the date, time, and place of each meeting held by the council and requiring that a live video transmission of each meeting be publicly available through the Internet.

(m) Provides that Chapters 551 and 2110 (State Agency Advisory Committees), except as provided by Section 531.0165(d), do not apply to the council.

SECTION 4. Provides that the changes in law made by this Act apply only to an open meeting held on or after September 1, 2023.

SECTION 5. Effective date: September 1, 2017.