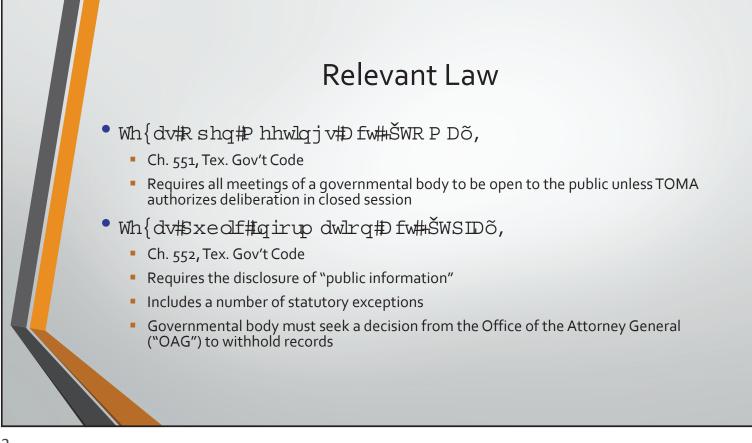


T Law Advanced Texas Administrative Law Seminar September 9-10, 2021

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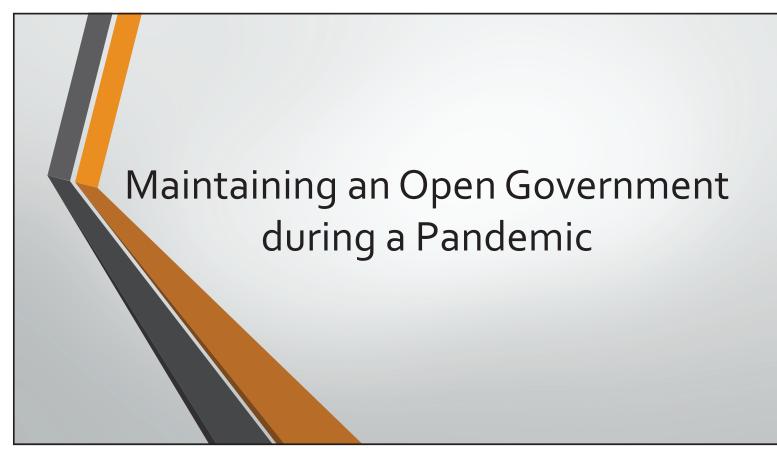


## Overview

Discussion of open government challenges during a pandemic

Review of recent, noteworthy open government cases

Review of open government legislation enacted by the 87<sup>th</sup> Legislature



## Suspension of TOMA Provisions: Timeline of Events

- March 16, 2020 Governor Abbott suspended certain open meeting provisions that require government officials and members of the public to be physically present at a specified meeting location.
- June 30, 2021 Governor Abbott approved a request by the OAG to lift the suspensions of certain open meeting provisions.
- **September 1, 2021** All provisions of the TOMA are effective, and all Texas governmental bodies subject to the TOMA must conduct their meetings in full compliance with the TOMA, as written in statute.

## **Conducting Open Meetings Going Forward**

- TOMA, Subchapter F governs telephonic and videoconference meetings in certain situations.
- Generally applicable requirements:
  - Telephone Conference Calls (Section 551.125)
  - Videoconference Calls (Section 551.127)
- Requirements for Specific Governmental Entities:
  - Governing Board of the Institution Of Higher Education; Board for Lease of University Lands; Texas Higher Education Coordinating Board (Section 551.121)
  - Governing Board Of Junior College District (Section 551.122)
  - Texas Board of Criminal Justice (Section 551.123)
  - Board of Pardons and Paroles (Section 551.124)
  - Higher Education Coordinating Board (Section 551.126)
  - Board Of Trustees of the Teacher Retirement System Of Texas (Section 551.230)
  - Water Districts (Section 551.131)

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## Title search: Open Government Update

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