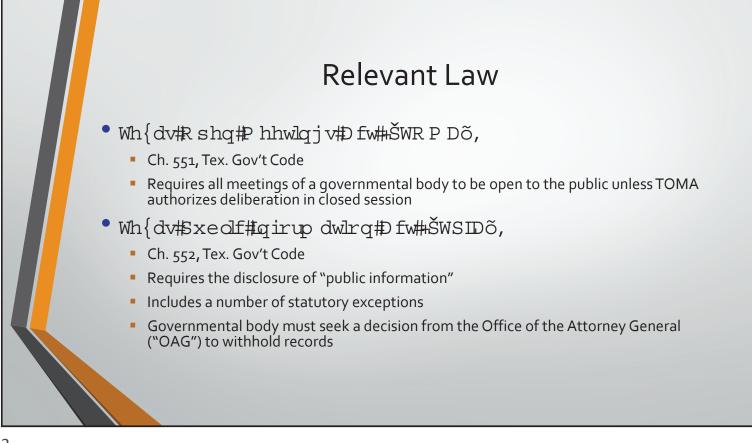


T Law Advanced Texas Administrative Law Seminar September 9-10, 2021

> Lori Fixley Winland Ogletree Deakins lori.winland@ogletree.com

Brian O'Reilly Locke Lord LLP boreilly@lockelord.com

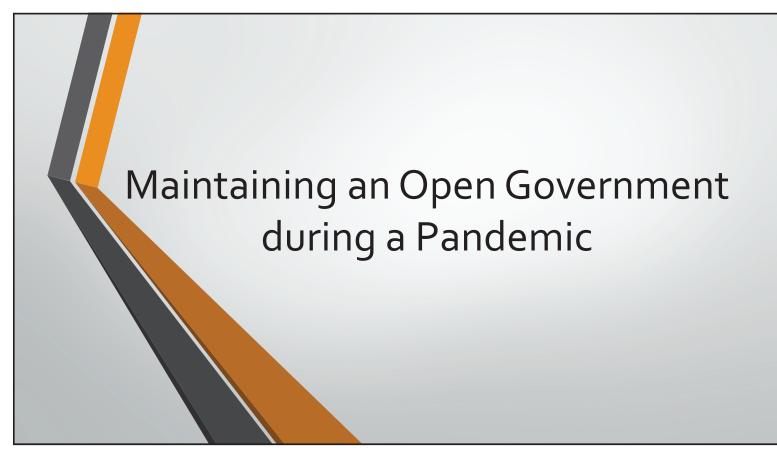


Overview

Discussion of open government challenges during a pandemic

Review of recent, noteworthy open government cases

Review of open government legislation enacted by the 87th 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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