

COVID-19 Open Meetings Act Changes

In response to the COVID-19 public health emergency, the Ohio General Assembly passed legislation (House Bill 197) making several **temporary changes** to the Ohio Open Meetings Act (R.C. 121.22). The changes allow for public bodies, including public library boards, to conduct meetings electronically during this state of emergency.

It is important to note that these changes became effective immediately and will sunset at the end of the Governor's declared state of emergency or December 1, 2020 whichever comes first.

The changes allow public bodies to conduct meetings by electronic, teleconference, web, or video means during this state of emergency, provided the following stipulations are satisfied:

Notice: Library boards that choose to meet electronically, or by teleconference, web or video must continue to provide notice to the public of their meetings. Boards must notify the public, the media that have requested notification, and any other parties required to be notified at least 24 hours in advance of the meeting. The notice must determine the time, location, and manner by which the meeting will be conducted. In the event of an emergency requiring immediate official action, the board shall make these notifications immediately.

Public Access: Library boards must provide public access to any meeting that the public would otherwise be entitled to attend. The board must ensure that the public can observe and hear the discussions of all members, whether they are participating in person or electronically.

Teleconference and video conference services that are available to local governments could include such products as: Zoom, Facebook Live, FreeConferenceCall, Skype, GoToMeeting, GoogleMeets, Webex, AnyMeeting, JoinMe, and eztalks.

The public can be provided access through live-streaming, local radio, television, cable, or public access channels, call in information for a teleconference, or by other similar electronic means.

These temporary changes did not repeal or suspend any provisions of the Open Meetings Act. All actions taken through an electronic meeting during this time have the same effect as if they were conducted during an in-person meeting.

Questions on the Open Meetings Act? Contact Jay Smith, OLC Director of Government and Legal Services, at jsmith@olc.org, or consult your county prosecutor or legal counsel.

3/27/20