



Ohio Legislative Service Commission

Final Analysis

Wendy H. Gridley

H.B. 286

130th General Assembly
(As Passed by the General Assembly)

- Reps.** Sears and Letson, Grossman, Curtin, Brenner, Smith, Becker, Hackett, Gonzales, Driehaus, Blair, Reece, Barborak, Slesnick, Ruhl, Phillips, Sheehy, Brown, Carney, Antonio, Bishoff, Johnson, Ramos, R. Adams, Amstutz, Anielski, Ashford, Baker, Beck, Blessing, Boyce, Buchy, Burkley, Damschroder, Derickson, Dovilla, Fedor, Green, Hall, Hayes, Hill, Mallory, McClain, McGregor, Milkovich, Pillich, Rogers, Scherer, Sprague, Stebelton, Stinziano, Terhar, Thompson, Winburn, Batchelder
- Sens.** Uecker, LaRose, Coley, Gardner, Hite, Hughes, Lehner, Manning, Obhof, Oelslager, Patton, Schaffer, Seitz, Tavares, Turner

Effective date: September 17, 2014

ACT SUMMARY

- Authorizes the Ohio Developmental Disabilities Council to meet by interactive video conference or teleconference under certain conditions.

CONTENT AND OPERATION

Meetings of the Ohio Developmental Disabilities Council

The act authorizes the Ohio Developmental Disabilities Council to meet by interactive video conference or teleconference if certain conditions are satisfied. Continuing law generally requires that a public body open its meetings to the public and conduct official business and deliberations at open meetings. Continuing law also requires that a member of a public body be present in person at such meetings to be counted toward a quorum or to vote.¹

Interactive video conference or teleconference

The act establishes a preference for interactive video conferencing over teleconferencing by specifying that the Council cannot hold a meeting by teleconference

¹ R.C. 121.22, not in the act.

unless it has determined that its membership does not have access to, and cannot provide access to, the equipment needed to conduct interactive video conferencing.

In any event, the act specifies that the requirement that a member be present in person at a meeting to be part of a quorum or to vote does not apply if the Council holds a meeting by interactive video conference or teleconference and the following conditions are met:

(1) A primary meeting location, open and accessible to the public, is established for the Council's meeting;

(2) In the case of an interactive video conference, a clear video and audio connection is established, enabling all participants at the primary meeting location to witness the participation of each member;

(3) In the case of a teleconference, the Council has determined its membership does not have access to and the Council cannot provide access to the equipment needed to conduct interactive video conferencing;

(4) In the case of a teleconference, a clear audio connection is established, enabling all participants at the primary meeting location to hear the participation of each member;

(5) A roll call vote is recorded for each vote taken; and

(6) The Council minutes identify which members participated by interactive video conference or teleconference.²

Rule-making authority

The act requires the Council to adopt any rules under the Administrative Procedure Act it considers necessary to implement the act's provisions. At a minimum, the rules must do all of the following:

(1) Authorize Council members to remotely attend a Council meeting by interactive video conference or teleconference in lieu of attending the meeting in person;

(2) Establish a minimum number of members required to be physically present in person at the primary meeting location if the Council conducts a meeting by interactive video conference or teleconference;

² R.C. 5123.35(F)(1) and (2).

(3) Establish geographic restrictions for participation in meetings by interactive video conference or teleconference;

(4) Establish a policy for distributing and circulating necessary documents to Council members, the public, and the media in advance of a meeting at which members are permitted to attend by interactive video conference or teleconference; and

(5) Establish a method for verifying the identity of a member who remotely attends a meeting by teleconference.³

HISTORY

ACTION	DATE
Introduced	10-02-13
Reported, H. Health & Aging	12-04-13
Passed House (94-0)	01-15-14
Reported, S. State Gov't Oversight & Reform	05-22-14
Passed Senate (33-0)	06-03-14

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³ R.C. 5123.35(F)(3).

