

## HB 890 – PUBLIC MEETING RECORDING REQUIREMENT

### THE INTENT OF HB 890:

A BILL FOR AN ACT ENTITLED:

“AN ACT PROVIDING FOR INCREASED TRANSPARENCY AND ACCOUNTABILITY IN GOVERNMENT BY REQUIRING CERTAIN GOVERNMENT ENTITIES TO RECORD THEIR PUBLIC MEETINGS IN AUDIO AND VIDEO FORMAT; REQUIRING THOSE ENTITIES TO MAKE THE AUDIO AND VIDEO RECORDINGS AVAILABLE ONLINE FOLLOWING THE PUBLIC MEETNG.....”

### THE KEY COMPONENTS

- A first-class or second-class school district board of trustees provided for in Article X, section 8, of the Montana constitution, 20-6-201, and 20-6-301, shall record their public meetings in audio and video format. (Browning Elem population 8,589 last updated 04/04/1997 and Browning HS 9,167 last updated 01/01/2007 per OPI 2024 District Classification Report – District Classification = First Class District)
  - ✓ County Superintendent determines district classifications
  - ✓ Determinations are made on the best possible population information
  - ✓ Determinations cannot be changed no more than once every five years
  - ✓ Superintendents enter this information in the OPI secure portal
- A first-class or second-class school district board of trustees shall make the audio and video recordings publicly available within 5 business days after the meeting with a link to the recording on the respective board’s website, also can be maintained on social media page with a provided link of recording on social media.
- The audio and video recordings created are not required to be the official record of the meeting, if the board maintains minutes as required by 2-3-212. If a recording is not designated as the official record, the recording may be destroyed after being retained online for 1 year.
- The board is not required to disrupt or reschedule a meeting if there is a technological failure of the meeting recording. If the recording is not able to be made available online, the board shall prominently post a notice in the same manner as a notice of a public meeting and shall post a notice at all locations where the meeting recording links are available. The notice must explain the reason the meeting was not recorded and describe the steps taken to remedy the failure prior to the next meeting.
- The requirements of this section apply only when the board is hearing, discussing, or acting on a matter over which the board has supervision, control, jurisdiction, or advisory power at a public meeting as defined in 2-3-202 that has been publicly noticed as required by 2-3-103
- “Expenditures by a school district on staff, consultants, equipment, software licenses, storage, or security made to fulfill the requirements of this section qualify as school facility project under 20-9-525.”
- Effective Date July 1, 2024