



19-0764

**TITLE:** Update on House Bill 2840 Regarding "Public Testimony" during Open Meetings

**COUNCIL GOAL:** Operational Excellence  
(2E: Continuously provide a high level of customer service to our citizens)

**MEETING DATE:** September 17, 2019

**DEPARTMENT:** City Attorney  
City Secretary

**CONTACT:** Mark Houser, City Attorney  
Empress Drane, City Secretary

**RECOMMENDED CITY COUNCIL ACTION:**

- No action required

**ITEM SUMMARY:**

- The purpose of this item is to clarify the expectations of HB 2840, which established the following amendments to the Texas Open Meeting Act:
  - 1) Members of the public can address the body regarding an item on an agenda for an open meeting before or during the body's consideration of the item.
  - 2) A governmental body may adopt reasonable rules regarding the public's right to address the body, including rules that limit the total amount of time that a member of the public may address the body on a given item.
  - 3) If simultaneous translation equipment is not utilized: a rule that establishes a time limit per item must allow at least twice that amount of time for a speaker utilizing a translator.
  - 4) A governmental body may not prohibit public criticism of the governmental body, including criticism of any act, omission, policy, procedure, program, or

service, if that public criticism is not otherwise prohibited by law.

- Revisions will be made to City Council and Boards & Commissions agendas, public comments cards, and the city webpage to benefit public edification and organizational transparency regarding these changes.

**BACKGROUND INFORMATION:**

- HB 2840 was approved by the Texas State Legislature in May 2019, effective September 1, 2019.
- McKinney City Council and Boards & Commissions have complied with the general guidelines of these amendments since September 1, 2019.

**FINANCIAL SUMMARY:**

- N/A

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[HB 2840](#)

[Texas Government Code - Open Meetings  
Presentation](#)