State of Tennessee

PUBLIC CHAPTER NO. 411

SENATE BILL NO. 136

By Briggs

Substituted for: House Bill No. 152

By Wright, Crawford, Howell, Keisling, Shaw, Davis

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 8, Chapter 44, relative to meetings conducted with electronic participation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 5-5-106, is amended by deleting the section and substituting:

(a) Each member of a county legislative body must attend each and every session of the body, and be allowed to vote and draw pay for attendance.

(b)(1) Notwithstanding subsection (a) and title 8, chapter 44, part 1, and upon the adoption of this subsection (b) by the county legislative body by a two-thirds (2/3) majority vote, a member of a county legislative body may participate in a scheduled commission meeting by electronic means, including, but not limited to, videoconferencing or other web-based media, but only for the following reasons:

(A) The commissioner is dealing with a family or medical emergency as determined by the county legislative body;

(B) The commissioner has been called into military service; or

(C) The commissioner is unable to attend in person due to inclement weather.

(2) A commissioner who is absent shall only participate in a meeting through electronic means if the commissioner can be visually identified by the chair.

(3) A county legislative body may opt out of electronic participation in accordance with this section in the same manner that the legislative body opts in under subdivision (b)(1).

(c) A county legislative body shall not conduct a commission meeting with electronic participation unless a quorum of commissioners is present at the physical location of the meeting. No more than twenty percent (20%) of the total membership of the legislative body, not to exceed three (3) members, may participate electronically.

(d) A commissioner shall not participate electronically in commission meetings more than two (2) times per year.

(e)(1) All meetings of a legislative body conducted by electronic means under this section must remain open and accessible to the public by providing real-time, live audio or video access to the public.

(2) A clear audio or video recording of the meeting must be made available to the public as soon as practicable following the meeting, and in no event more than two (2) business days after the meeting.

(3) In the public notice required by § 8-44-103, the county legislative body shall provide information regarding how the public can obtain real-time, live access to, or a broadcast of, the meeting, and the legislative body is strongly urged to provide an agenda for the meeting in such notice.

(f) The county legislative body adopting this section shall develop a policy for conducting meetings with electronic participation.

(g) Subsections (b)-(g) are deleted on July 1, 2028.

SECTION 2. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following as a new section:

(a)(1) Notwithstanding title 8, chapter 44, part 1, or any private act, home rule, or general law charter to the contrary, and upon adoption of this section by the municipal legislative body by a two-thirds (2/3) majority vote, a member of a municipal legislative body may participate in a scheduled legislative body meeting by electronic means, including, but not limited to, videoconferencing or other web-based media, but only for the following reasons:

(A) The municipal legislative body member is dealing with a family or medical emergency as determined by the municipal legislative body;

(B) The municipal legislative body member has been called into military service; or

(C) The municipal legislative body member is unable to attend a meeting due to inclement weather.

(2) A municipal legislative body member who is absent shall only participate in a meeting through electronic means if the member can be visually identified by the chair.

(3) A municipal legislative body may opt out of electronic participation in accordance with this section in the same manner that the legislative body opts in under subdivision (a)(1).

(b) A municipal legislative body shall not conduct a meeting that includes electronic participation unless a quorum of the municipal legislative body is present at the physical location of the meeting. No more than twenty percent (20%) of the total membership of the legislative body, not to exceed three (3) members, may participate electronically.

(c) A municipal legislative body member shall not participate electronically in meetings more than two (2) times per year.

(d)(1) All meetings of a legislative body conducted by electronic means under this section must remain open and accessible to the public by providing real-time, live audio or video access to the public.

(2) A clear audio or video recording of the meeting must be made available to the public as soon as practicable following the meeting, and in no event more than two (2) business days after the meeting.

(3) In the public notice required by § 8-44-103, the municipal legislative body shall provide information regarding how the public can obtain real-time, live access to, or a broadcast of, the meeting, and the legislative body is strongly urged to provide an agenda for the meeting in such notice.

(e) The municipal legislative body shall develop a policy for conducting meetings that include electronic participation.

(f) This section is deleted on July 1, 2028.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 136

PASSED: April 21, 2025

RANDY McNALLY
SPEAKER OF THE SENATE

CAMERON SEXTON, *SPEAKER*
HOUSE OF REPRESENTATIVES

APPROVED this 9th **day of** May **2025**

BILL LEE, *GOVERNOR*