



Montana Association of Counties

Serving Montana Counties Since 1909

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RECORDING OPEN MEETINGS

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PURPOSE

To give county elected officials an outline of the new requirements regarding recording open meetings as a result of HB 890.

WHAT ARE THE RECORDING REQUIREMENTS?

- All governing boards of counties and local boards of health must make either an audio or video recording of all public meetings as defined in 2-3-202 MCA (a meeting as the convening of a quorum of the constituent membership of a public agency or association described in 2-3-203, whether corporal or by means of electronic equipment, to hear, discuss, or act upon a matter over which the agency has supervision, control, jurisdiction, or advisory power.)
- In counties with a population of less than 4,500 only an audio recording is required for their board of county commissioner meetings, otherwise, a video recording is required.
- The recordings must be made publicly available within five business days after the meeting with a link on the board's website. If the board does not maintain a website, the board must maintain a social media page and provide a link to the recording on your social media page.
- The recordings are not considered the official record of the meeting and may be destroyed after being retained online for one year.
- A board is not required to disrupt or reschedule a meeting if there is a technological failure of the recording but must post a notice explaining the reason the meeting was not recorded and the steps that will be taken to remedy the problem prior to the next meeting.

WHEN DOES THIS TAKE EFFECT?

- July 1, 2024 (you have a whole year to plan!).

WHAT IF I HAVE MORE QUESTIONS?

- Please also see our Open Meeting White Paper available [here](https://www.mtcounties.org/wp-content/uploads/resources/model-policies-regulations-codes/open-meeting-white-paper.pdf) (<https://www.mtcounties.org/wp-content/uploads/resources/model-policies-regulations-codes/open-meeting-white-paper.pdf>).
- Contact us!