



BLANCO COUNTY ATTORNEY

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Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

RQ-0313-KP

FILE # ML-48649-19

I.D. # 48649

RE: Open Meetings

Dear Deputy Attorney General:

The Texas Legislature recently added Section 551.007 to the Texas Government Code. The new amendment requires Blanco County to permit public comment during Commissioners Court on items that are on the agenda. Subsection (b) of the amendment provides:

A governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body's consideration of the item.

Subsection (c) provides:

A governmental body may adopt reasonable rules regarding the public's right to address the body under this section,

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including rules that limit the total amount of time that a member of the public may address the body on a given item.

At a recent Commissioners Court meeting, the Commissioners Court permitted public comments at the beginning of the meeting. The Commissioners limited public comments to three minutes per person. One member of the public wanted to comment on 17 of the 21 items. He argued that the subsection (b) required the Commissioners to allow him to discuss each agenda item immediately prior to discussion of that item. It was the County's opinion that subsection (b) did not require that and that allowing the public to interrupt Court 17 different times would be disruptive to the efficient flow of government. The party then argued that if the County was going to have all public comments at the beginning of Court that he was still allowed 3 minutes per item. That would give him 51 minutes of time. Obviously, if ever member of the public wanted to speak got 3 minutes per item, the Commissioners would not be able to have an effective meeting. It is the County's position that the County can limit a speaker to a reasonable amount of time in total and not just per item.

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The County would like an opinion on:

1. Is the County required to let the public speak immediately before each agenda item?
2. If the County has a policy of 3 minutes per item, can the County also regulate the total time a speaker can have?

Respectfully,

A handwritten signature in cursive script that reads "Deborah Earley".

Deborah Earley
Blanco County Attorney