

Video Streaming of Public Meetings Guidance

Referencing IC 5-14-1.5-2.9

Draft Dated June 5, 2025

This guidance is meant to be an easy explanation of IC 5-14-1.5-2.9, which takes effect on July 1, 2025. It is to be used with the companion documents, including “Code Cite Reference for Video Streaming of Public Meetings.”

First, this rule does not apply to the following:

- 1) An executive session of any public entity,
- 2) Any meeting of a state educational institution, or
- 3) Any public hearing which already has its own rules related to recordings.

Second, this rule applies to:

- 1) Governing bodies of state agencies
- 2) Governing bodies that are not state agencies:
 - a. Executive branch meetings of a county, city, town or township,
 - b. Legislative branch meetings of a county, city, town or township,
 - c. Fiscal body meetings, which may or may not include the above executive and legislative branches, of a county, city, town or township,
 - d. An elected school board, and
 - e. Any governing body that conducts its regular meetings in the same meeting room as the above entities.

In other words, if you are a smaller, non-primary, governmental unit, this does not apply to you, unless you fit 2e above and meet in a room where the other governing bodies meet, which should be equipped with live streaming or recording capabilities.

When this rule applies, so long as the governing body has internet capability for live streaming, the governing bodies shall provide:

- 1) Live streaming or transmissions of the governing body’s meetings, and
- 2) Archived copies of the live transmissions. Each archived copy must provide access links to the meeting’s:
 - a. Agenda
 - b. Minutes and
 - c. Memoranda

Note 1: This statute does not remove the need to have the meetings properly noticed, agendas available prior to the meeting, and meeting minutes, or

memoranda, made available after the meeting, as normally required by the Open Door Law (ODL) and Access to Public Records Act (APRA).

Note 2: Although the statute requires no particular hardware or software for implementation, the Indiana Office of Technology (IOT) and the Indiana Department of Administration (IDOA) have created guidance for the State agencies on the technology they have chosen: Microsoft Teams Webinar and vBrick. The State guidance can be found here: <https://www.in.gov/iot/products/communication-services-voice-as-a-service/video-streaming/>.

As with most of the State contracts, local governments: County, City, Town, and Townships can purchase the vBrick solution at State rates. vBrick would set up a streaming site dedicated to their entity and bill them directly. vBrick can be purchased by contacting SHI, the State software reseller, at ilin@shi.com.

- 3) The meeting notice must include the website, or link, for live transmission and archived copies of the live transmissions.
- 4) Additionally, the governing body, or public agency, shall make a copy of the live streaming or recording of the transmission available for public inspection, copying or downloading for at least ninety (90) days after the date of the meeting. This should be allowed:
 - a. Without charge from the website or
 - b. From the governing body's, or public agency's, storage system
 - i. upon request,
 - ii. during regular business hours, and
 - iii. a reasonable fee may be charged in accordance with statute.
- 5) More than ninety (90) days after the date of the meeting, the governing body, or public agency, may destroy the recording, or archive it in accordance with its record retention policy.

If a technological failure disrupts or prevents the governing body, or public agency, from live streaming, recording, archiving, or maintaining a copy of the live transmission or recording of the meeting, this does not:

- 1) prevent the governing body from conducting the meeting,
- 2) affect the validity of an action taken at the meeting,
- 3) violate this chapter or any statute concerning the retention, preservation, or production of public records, or
- 4) subject any person or entity to civil or criminal liability.