

SWCD AND LIVE STREAMING PUBLIC MEETINGS

Guidance for best practices

The Indiana State Department of Agriculture (ISDA) has received guidance information for Soil and Water Conservation Districts (SWCD) regarding the applicability of newer state statutory language ([I.C. 5-14-1.5-2.9](#)) added to the Open-Door Law statutes requiring the live streaming of public meetings. This statute goes into effect starting July 1, 2025.

The important highlights provided by the Public Access Counselor (PAC) are summarized below:

When should a SWCD live stream a regular board meeting?

- If the SWCD Board meets in one of the executive, legislative, or fiscal bodies at the State, County, City, Town or Township levels meeting rooms where live streaming is available.
 - Example) County SWCD Board holds their regular meetings in the same room as the County Council (legislative branch at county level). *Per state statute and PAC guidance, this SWCD board meeting would need to be live streamed.*
- If a SWCD has been live streaming since COVID, they should continue to do so to err on the side of caution.
- If a SWCD has the equipment, it would be best practice to live stream the SWCD board meeting to err on the side of caution.

When this rule applies to SWCDs with internet capability what is needed to comply?

- Live streaming or transmissions of the SWCD meetings, and
- Archived copies of the live transmissions. Each archived copy must provide access links to the meeting's:
 - Agenda
 - Minutes and
 - Memoranda
- The meeting notice must include the website, or link, for live transmission and archived copies of the live transmissions.

- Additionally, the SWCD 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:
 - Without charge from the website or
 - From the SWCD's storage system
 - upon request,
 - during regular business hours, and
 - a reasonable fee may be charged in accordance with statute.
- More than ninety (90) days after the date of the meeting the SWCD may destroy the recording, or archive it in accordance with its record retention policy.

If a technological failure disrupts or prevents a SWCD from live streaming, recording, or archiving the meetings **this does not** prevent from the meeting being conducted, affect the validity of actions taken at the meeting, violate this chapter or statute, or subject any person or board to civil or criminal liability.

If a SWCD has no internet capability for live streaming of meetings, the SWCD shall record the meeting and retain the recording as described in [I.C. 5-14-1.5-2.9\(f\)](#).

All other Open Door Law public meeting requirements (i.e., agendas, notices, minutes, etc.) still apply at all levels.

*** Please direct legal questions to the District's county counsel or the Public Access Counselor ***