

HOUSE No. 4030

The Commonwealth of Massachusetts

PRESENTED BY:

Lindsay N. Sabadosa

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to public comments and open meeting law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/20/2023</i>

HOUSE No. 4030

By Representative Sadosa of Northampton, a petition (accompanied by bill, House, No. 4030) of Lindsay N. Sadosa relative to public comments and open meeting law. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to public comments and open meeting law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 20 of chapter 30A of the General Laws is hereby amended by
2 striking out subsection (g) and inserting in place thereof the following subsection

3 (g) There is a public right for any member of the public to be present, to be heard, and to
4 participate during an open meeting of a public body. Each public body in the commonwealth
5 conducting an open meeting must provide an opportunity for public comment at the meeting.

6 This opportunity must be a reasonable period provided for public comment on any matter within
7 the subject matter jurisdiction of the public body. All persons shall be permitted to attend an
8 open meeting and submit data, views, or arguments, in writing as well as provide oral testimony.

9 No prior notice, disclosure of topic or otherwise permission is required for a member of the
10 public to address a matter before an open meeting. A public body may limit comment to
11 residents and taxpayers of the area served by the body.

12 SECTION 2. The attorney general shall, in addition to any other requirements pursuant to
13 section 19 of chapter 30A of the General Laws, publish open meeting guidelines and training
14 materials for public bodies to implement the provisions of section 1 of this act. The guidelines
15 and materials shall include:

16 (i) The public's right to be present, to be heard and to participate during an open meeting
17 of a public body;

18 (ii) That the public body allow public comment on any matter within the subject matter
19 jurisdiction of the body, to include specific agenda items as taken up by the body.

20 (iii) Guidance that public bodies are permitted to establish rules to oversee public
21 comment by, among other things, limiting time for each commenter; provided, that bodies are
22 urged to take great care when imposing time limits on public comment. For example three
23 minutes is a common limit and may be more than enough at most public meetings. However, it
24 may not be adequate at certain meetings, such as when a complex draft budget is being
25 discussed. For example, it can be a good practice to allow for flexibility in any policy imposing
26 time limits on public comment, taking care to ensure that the body does not show partiality to
27 some commenters over others.

28 (iv) That public bodies are permitted to limit comment to residents and taxpayers of the
29 area served by the body.