

HOUSE No. 3826

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 remote participation in state public meetings.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|----------------------------|----------------------|------------------|
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>2/18/2021</i> |

HOUSE No. 3826

By Ms. Sabadosa of Northampton, a petition (accompanied by bill, House, No. 3826) of Lindsay N. Sabadosa relative to remote participation in state public meetings. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to remote participation in state public meetings.

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

1 Chapter 30A of the General Laws, as appearing in the 2018 Official Edition, is hereby
2 amended by inserting after section 20 the following 2 sections:-

3 Section 20A. (a) A state public body may allow remote participation by all members for
4 any meeting of the public body. For the purposes of this section, the term remote participation
5 means participation by an individual during a meeting of a public body where the individual is
6 not physically present at the meeting location.

7 (b) Members remotely participating in a meeting may vote, shall be considered present
8 and in attendance for all purposes, including for purposes of determining a quorum and for the
9 purposes of section 23D of chapter 39.

10 (c) For any meeting of a state public body, the public body shall make provisions to
11 ensure public access to the deliberations of the public body and remote participation in the
12 meeting for interested members of the public through adequate, alternative means. Adequate,

13 alternative means of public access and remote participation shall mean measures that provide
14 transparency and permit timely and effective public access to, and remote participation in, the
15 meeting. Said measures may include, without limitation, providing public access and remote
16 participation through telephone, internet or satellite enabled audio and video conferencing or any
17 other technology that enables the public to clearly follow and engage in the proceedings of the
18 virtual meeting while those proceedings are occurring. Where allowance for active, real-time
19 participation by members of the public is a specific requirement of a general or special law or
20 regulation, or a charter, local ordinance or by-law, pursuant to which the proceeding is
21 conducted, any alternative means of public access and remote participation shall provide for such
22 participation.

23 A public body shall offer its selected alternative means of public access to, and remote
24 participation in, virtual meetings without subscription, toll or similar charge to the public.

25 (d) A public body that elects to conduct its proceedings remotely shall ensure that any
26 party entitled or required to appear before it may do so through remote means, as if the party
27 were a member of the public body participating remotely.

28 Section 20B. All meetings of a state public body shall be recorded by video, with the
29 recording posted on the website of the public body not later than 2 business days after the
30 meeting ends.

31 Except in an emergency, any materials relevant to matters on the agenda of a meeting of
32 a state public body, including but not limited to materials related to specific applications or
33 agenda items, shall be submitted to the state public body not later than 48 hours prior to the
34 meeting, excluding Saturdays, Sundays and legal holidays. Said materials shall be posted to the

35 website of the public body for public inspection prior to, during and after the meeting. Materials
36 posted on the website of the state public body, including meeting recordings, shall remain
37 accessible to the public on the website for not less than 2 years.