The Commonwealth of Massachusetts

PRESENTED BY:

Tommy Vitolo and Cynthia Stone Creem

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 authorizing the town of Brookline to hold hybrid town meetings.

PETITION OF:

<table>
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<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
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<tbody>
<tr>
<td>Tommy Vitolo</td>
<td>15th Norfolk</td>
<td>1/31/2022</td>
</tr>
<tr>
<td>Cynthia Stone Creem</td>
<td>First Middlesex and Norfolk</td>
<td>1/31/2022</td>
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An Act authorizing the town of Brookline to hold hybrid town meetings.

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

SECTION 1. Notwithstanding any general or special law, charter provision, ordinance or by-law to the contrary, the Town of Brookline may hold town meetings at which participants attend both in person and remotely (hereinafter sometimes called a “hybrid meeting”), subject to the following:

a. The determination of whether a town meeting shall be a hybrid meeting shall be made by the Select Board at the time that it approves the warrant for such meeting, and the warrant shall contain such provisions as shall be deemed by the moderator and Town Counsel to be necessary in order properly to notify participants in such meeting of the requirements set forth in this section.

b. Except as otherwise set forth in this section, town meeting members and other participants in a hybrid meeting may elect to attend such meeting either in person, at the location
designated in the warrant for such meeting, or remotely by means of a video conferencing
platform.

c. All town meeting members attending a hybrid meeting, whether in person or remotely,
shall be counted for purposes of determining the presence of a quorum at the meeting.

d. The moderator, the Town Clerk and all members of the Town’s information
technology staff and other persons required to operate the voting and other technical systems
necessary for the proper function of a hybrid meeting in accordance with this section shall attend
each session of a hybrid meeting in person. All other participants in a hybrid meeting, including
town meeting members and other residents and non-residents of the Town, may attend each
session of a hybrid meeting either in person or remotely. In order to attend a session of a hybrid
meeting remotely, a participant shall be required to provide written or electronic notice of such
participation to the moderator and Town Clerk, which notice shall be required to be received no
later than 48 hours before such session. Such notices may cover such person’s remote
attendance at one or more sessions of a hybrid meeting. Such notice requirement may in general
or in specific instances be waived for Town officials and other Town employees by the
moderator, by written notice to the Town Clerk and Office of the Select Board.

e. The video conferencing platform shall afford all remote participants in a hybrid
meeting the ability to identify and hear the moderator and each town meeting member who
attends the meeting, as well as any other persons who participate in the meeting. All remote
participants in a hybrid meeting shall have substantially the same access as in-person participants
to the content of handouts, presentations and other material distributed or displayed, prior to or
during the meeting, to in-person participants in the meeting.
f. All participants in a hybrid meeting, whether attending in person or remotely, shall have a substantially equal opportunity to request recognition by the moderator, make a motion or raise a point of order or question of privilege.

g. All town meeting members participating in a hybrid meeting, whether attending in person or remotely, shall have the opportunity to vote on all matters put to a vote of town meeting members; such votes shall to the extent feasible be taken substantially contemporaneously; and such votes shall in the case of recorded votes be published as soon as practicable subject to the abilities of the respective voting systems used for in-person and remote votes. All votes at a hybrid meeting shall be taken by such means and in such a manner as shall be determined by the moderator to record accurately and securely the votes of those entitled to vote at the meeting.

h. Town meeting members who do not have access to the video or other conferencing system used for remote participants in a hybrid meeting may participate in the meeting via telephone conference call. The requirements of sub-sections (e) and (f) of this section shall to the extent that they cannot be complied with through telephone conferencing not apply to such town meeting members. No persons other than town meeting members shall be permitted to participate in a hybrid meeting via telephone conference call.

SECTION 2. All actions taken during a hybrid meeting held pursuant to section 1 are hereby ratified, validated and confirmed to the same extent as if the hybrid meeting had been
conducted entirely in person, and such actions shall be deemed to comply in all respect with all other applicable laws, charter provisions, ordinances and by-laws.

SECTION 3. This act shall take effect upon its passage.