SENATE DOCKET, NO. 2143 FILED ON: 2/19/2021

SENATE . . . . . No. 2082

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 to modernize participation in public meetings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Jason M. Lewis	*Fifth Middlesex*	
Kay Khan	*11th Middlesex*	*2/25/2021*
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*2/25/2021*
Jack Patrick Lewis	*7th Middlesex*	*2/25/2021*
Christina A. Minicucci	*14th Essex*	*2/25/2021*
Adam J. Scanlon	*14th Bristol*	*2/25/2021*
James B. Eldridge	*Middlesex and Worcester*	*3/1/2021*
Cindy F. Friedman	*Fourth Middlesex*	*3/1/2021*
John F. Keenan	*Norfolk and Plymouth*	*3/1/2021*
Erika Uyterhoeven	*27th Middlesex*	*3/1/2021*
Michael O. Moore	*Second Worcester*	*3/8/2021*
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	*3/8/2021*
Thomas M. Stanley	*9th Middlesex*	*3/8/2021*
Bradley H. Jones, Jr.	*20th Middlesex*	*3/10/2021*
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*	*3/11/2021*
Eric P. Lesser	*First Hampden and Hampshire*	*3/18/2021*
Carmine Lawrence Gentile	*13th Middlesex*	*3/23/2021*

Sal N. DiDomenico	*Middlesex and Suffolk*	*4/2/2021*
Harriette L. Chandler	*First Worcester*	*4/13/2021*
Julian Cyr	*Cape and Islands*	*5/10/2021*
Patrick M. O'Connor	*Plymouth and Norfolk*	*6/2/2021*
Diana DiZoglio	*First Essex*	*6/22/2021*
Brian W. Murray	*10th Worcester*	*6/24/2021*
Brendan P. Crighton	*Third Essex*	*6/28/2021*

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SENATE . . . . . No. 2082

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 2082) of Jason M. Lewis, Kay Khan, Joanne M. Comerford, Jack Patrick Lewis and other members of the General Court for legislation to modernize participation in public meetings. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act to modernize participation in 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:

SECTION 1. Section 18 of chapter 30A of the General Laws is hereby amended by inserting after the first paragraph the following paragraph:-

"Adequate, alternative means of public access", measures or means that provide transparency and permit timely and effective remote public access to the deliberations of a public body; provided, however, such means include but are not limited to providing public access through telephone, internet, or satellite-enabled audio or video conferencing or any other technology that enables the public to clearly follow and participate in the proceedings of the public body as they are occurring, and must be available without any subscription, toll, or similar charge; provided, further, where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

SECTION 2. Section 20 of said chapter 30A, as so appearing, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) Except as provided in section 21, all meetings of a public body shall be open to the public in a public place that is open and physically accessible to the public, and provide adequate, alternative means of public access.

SECTION 3. Section 20 of said chapter 30A, as so appearing, is hereby further amended by inserting at the end thereof the following paragraph:-

(i) A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may request a hardship waiver from the attorney general's office. If such waiver is granted, the municipal public body shall post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings, and in any event within 10 business days. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

SECTION 4. Section 22 of said chapter 30A, as so appearing, is hereby amended by inserting at the end of the first paragraph the following sentence:-

The minutes shall note the adequate, alternative means of public access to the meeting, pursuant to paragraph (a) of section 20.