

SENATE No. 2063

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 updating the Open Meeting Law to support remote participation.

PETITION OF:

NAME:

Rebecca L. Rausch

DISTRICT/ADDRESS:

Norfolk, Worcester and Middlesex

SENATE No. 2063

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 2063) of Rebecca L. Rausch for legislation relative to update the Open Meeting Law to support remote participation. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act updating the Open Meeting Law to support remote participation.

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. Chapter 30A of the General Laws, as appearing in the 2020 Official
2 Edition, is hereby amended in section 20 by striking out paragraph (d).

3 SECTION 2. Said Chapter 30A, as so appearing, is hereby further amended by inserting
4 after section 20 the following section:-

5 Section 20A. (a) A public body may allow remote participation by any member for any
6 meeting of the public body. For the purposes of this section, the term remote participation means
7 participation by a member of a public body during a meeting of that public body where the
8 member is not physically present at the meeting location.

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

12 (c) All members of the public body participating either remotely or at a meeting location
13 shall be clearly audible to one another.

14 (d) For any meeting conducted with remote participation, the public body shall make
15 provisions to ensure public access to the deliberations of the public body for interested members
16 of the public through adequate, alternative means. Adequate, alternative means of public access
17 shall mean measures that provide transparency and permit timely and effective public access to
18 the virtual meeting. Such means may include, without limitation, providing public access
19 through telephone, Internet or satellite enabled audio or video conferencing or any other
20 technology that enables the public to clearly follow the proceedings of the meeting while the
21 proceedings are occurring. Documents used for any such meeting should be made available to
22 the public before or at the time of the meeting of the public body. Where allowance for active,
23 real-time participation by members of the public is a specific requirement of a general or special
24 law or regulation, or a charter, local ordinance or by-law, pursuant to which the proceeding is
25 conducted, any alternative means of public access shall provide for such participation. A public
26 body shall offer its selected alternative means of public access to meetings with remote
27 participation without subscription, toll, or similar charge to the public.

28 (e) A public body that elects to conduct its proceedings with remote participation shall
29 ensure that any party entitled or required to appear before it may do so through remote means, as
30 if the party were a member of the public body participating remotely.

31 (f) The executive body of a municipality shall develop and adopt standards and
32 guidelines for remote participation of public bodies that is sufficient for the municipality prior to
33 any meeting with remote participation held pursuant to this section.