

SENATE No.

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 promoting governmental efficiency.

PETITION OF:

NAME:

Rebecca L. Rausch

DISTRICT/ADDRESS:

Norfolk, Worcester and Middlesex

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2065 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act promoting governmental efficiency.

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 23 of chapter 30A of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out paragraph (b) and inserting in place thereof
3 the following paragraph:-

4 (b) Complaints.

5 (1) Any individual may file a complaint with a public body alleging violation of the open
6 meeting law, provided that the complaint:

7 (i) reasonably describes the circumstances constituting the alleged violation;

8 (ii) is filed with the public body within 20 business days of the date of the alleged
9 violation;

10 (iii) includes electronic and postal mail contact information for the complainant; and

11 (iv) is signed by the complainant either in ink or in compliance with chapter 110G.

12 (2) Complaints shall be deemed received:

13 (i) if filed by electronic mail, on the business day of submission if submitted by 4:00

14 p.m., and otherwise on the next business day; or

15 (ii) three days after mailing via first class postal mail.

16 (3) A public body must meet to review and respond to a complaint not later than 14

17 business days after receipt thereof confirming receipt of the complaint and identifying any

18 remedial action(s) taken or intended to be taken by the public body in response to the complaint;

19 provided, however, that if a complainant files more than twelve complaints with the same public

20 body within the same calendar year, or a complaint is otherwise unduly burdensome, the public

21 body may file a petition with the attorney general seeking relief from the obligation to respond to

22 the complaint. In determining whether to grant an order requiring the public body to respond to

23 the complaint, the attorney general may consider, without limitation, (i) the previous record of

24 compliance or non-compliance by the public body; (ii) the burden placed on the public body in

25 responding to the complaint; (iii) any evidence of harassment or intimidation on the part of the

26 complainant; (iv) the facts of the alleged violation; and (v) the number of complaints filed

27 against the public body or other public bodies within the municipality. The attorney general may

28 authorize an extension of time to the public body for the purpose of taking remedial action upon

29 the written request of the public body and a showing of good cause to grant the extension.

30 (4) The public body shall, within 14 business days of receipt of a complaint unless
31 granted an extension of time pursuant to subsection (B)(3), send a copy of the complaint to the
32 attorney general and notify the attorney general of any remedial action.

33 (5) Any remedial action stated pursuant to subparagraph (3) of this section shall not be
34 admissible as evidence against the public body in any subsequent administrative or judicial
35 proceeding related to the alleged violation.

36 SECTION 2. Said section 23 of said chapter 30A, as so appearing, is hereby amended by
37 striking out, in line 19, the word “complaint” and inserting in place thereof the following words:-
38 petition for review of an open meeting law complaint.

39 SECTION 3. Section 10 of chapter 66 of the General Laws, as appearing in the 2022
40 Official Edition, is hereby amended by striking out, in lines 96-98, the words “, and the requests
41 are not intended for the broad dissemination of information to the public about actual or alleged
42 government activity”.