

Massachusetts House of Representatives Bill Summary

Bill #: H.2274

Title: An Act authorizing remote participation at town meetings

Sponsor: Rep. Carmine Lawrence Gentile and Rep. David Paul Linsky

Committee: Municipalities and Regional Government

Hearing Date: July 22, 2025

Current Law: Chapter 39 of MGL concerns municipal government. This chapter deals with matters such as annual meetings, other meetings, adjournments, warrants, moderators, and quorums. Section 10 contains the procedure for issuance of town meeting warrants to hold such meetings in specified physical locations, notice of which shall be given at least seven days before the annual meeting or an annual or special election and at least fourteen days before any special town meeting. Section 10A contains a procedure for recessing and then continuing a town meeting in the event of inclement weather.

Summary: This legislation inserts a new section (10B) into the law governing the issuance of warrants and procedure for holding town meetings. The effect of the new language would be to authorize any town meeting to be held through remote participation or a hybrid of in-person and remote participation, including, but not limited to, a video, telephone remote conferencing platform.

The new language would apply to towns having either a representative or open town meeting form of government. The town moderator could, after consulting with the select board and local public safety or public health officials, call for any town meeting to be held remotely. If a town has no moderator, then the select board may call for the town meeting to be held through remote or hybrid participation.

The notice to hold a remote or hybrid town meeting would be prepared in writing by the moderator with the following information:

1. The moderator's determination and request to hold a town meeting through remote participation or a hybrid of in-person and remote participation;
2. The video or telephone conferencing platform being used;

3. Confirmation that the moderator has consulted with the local disability commission or coordinator to ensure federal Americans with Disabilities Act compliance;
4. Confirmation that the moderator has consulted with the select board; and
5. Certification by the moderator that the moderator has tested the video or telephone conferencing platform, and the platform satisfactorily enables the remote portion of the town meeting to be conducted in substantially the same manner as if the meeting occurred in person at a physical location and in accordance with the operational and functional requirements set forth in this section.

The legislation provides that a video or telephone conference(ing) platform used by a town meeting shall meet the following minimum requirements:

1. limit voting to those eligible to vote, as confirmed by the town clerk; giving each eligible voter appropriate credentials that allow remote participation in a manner that can easily be administered, minimizes inaccurate results and maintains an environment that is free from fraud;
2. allow the moderator, voters, representative town meeting members, town officials and other interested parties to identify and hear participants;
3. if applicable, be able to determine whether a quorum is present;
4. enable authorized participants to be recognized by the moderator without prior authorization and consistent with town meeting rules. Such requests should be visible or audible to town meeting participants in real time and preserved as part of the recording of the town meeting proceedings;
5. enable the moderator to determine when a voter seeks recognition to speak, make a motion, raise a point of order or raise an objection;
6. enable the moderator to recognize a remote or in-person voter, town official or other individual and enable that person to speak;
7. in the case of a representative town meeting, give the moderator the ability to conduct a roll call vote;
8. enable the public to access the meeting remotely to watch deliberations and actions taken during town meeting, subject to the provisions of any municipal charter; and
9. enable the town meeting proceedings to be recorded.

Registered voters, other than elected or appointed representatives, seeking to participate in town meeting, would be required to submit a request to the town moderator at least 48 hours in advance. A designated town official would review and verify the voter's registration status and provide the voter with appropriate physical or technological participation credentials. There is a proviso that voters or non-town meeting members shall not be required to participate in a manner beyond what is required by law or charter provision. (This may refer to existing quorum requirements for doing business.)

Registered voters who have been verified as being eligible to participate in town meeting proceedings would be given instructions at least 48 hours in advance of the meeting regarding how to access their physical or

technological credentials. Inability to comply with this provision would require a delay in the meeting start time until a quorum is reached or 30 minutes have passed, whichever occurs later.

Before any business could be conducted at a remote or hybrid town meeting, once any applicable quorum has been reached, the meeting would first vote on whether to continue using remote or hybrid access. If the motion is approved, then the meeting would proceed with consideration of the warrant articles. If the town meeting votes not to conduct the meeting using a remote or hybrid method, then the meeting shall be adjourned, without further action, to the date, time and location specified in the notice or warrant or to such other date, time and place as may be approved by town meeting.

The legislation requires that votes taken by a roll call vote at a remote or hybrid representative town meeting be recorded and kept with the minutes of the town meeting.

It also requires that the remote or hybrid town meeting be recorded and that the recording be preserved and made publicly available for at least 90 days after the town meeting has concluded and until official minutes of the meeting have been prepared by the town clerk.