

Massachusetts House of Representatives Bill Summary

Bill #: H.2318

Title: An Act providing for municipal meeting postponement due to inclement weather

Sponsor: Rep. Tram Nguyen

Committee: Municipalities and Regional Government

Hearing Date: June 24, 2025

Prior History: Refile of H.2091-Study

Current Law: Chapter 4 Section 4 of MGL concerns the process by which a municipality or a district accepts a statute. A statute can be accepted by a municipality by a vote of the legislative body, subject to the charter of the municipality.

Chapter 41 of MGL concerns the officers and employees of cities and towns.

- Section 81A deals with the establishment of planning boards in municipalities and sets regulations regarding membership, tenure, and vacancies.
- Section 81Z authorizes a municipality to establish a board of appeals and creates the guidelines for its membership, tenure, and vacancies.

Chapter 487 of the Acts of 2014 established Chapter 39 Section 10A of MGL, which authorized town moderators to recess and continue a town meeting if there is a weather-related or public safety emergency.

Summary: This legislation amends Chapter 41 of MGL by adding a new section, Section 134.

Section 134 (a) authorizes the chair of any municipal board, in a city or town that accepts this legislation, to postpone a public hearing of any municipal board due to a weather-related emergency. To postpone the public hearing, the chair must consult with local public safety officials and determine a new date, time, and place within 3 days of the recess. The chair is not required to appear in person at the hearing to declare the recess and continuance but should announce the postponement and continuance as far in advance as possible.

Section 134(b) states that the chair of the municipal board is required to prepare a notice of the recess and continuance that shall be publicly available and shall contain the date, time, and place of the continued meeting. The notice shall include the reason for the declaration and identify the time and date that the chair made the declaration of postponement. The notice shall be filed with the municipal clerk as soon as practicable, posted in a visible manner to the public at all hours in or on the municipal building in which the clerk's office is located, and posted at the place of the public hearing. The chair is authorized to use any electronic, broadcast, or print media to circulate this notice and municipalities who have a municipal website shall post a copy of the notice to their website as soon as possible. The municipalities that have a municipal website shall post a copy of the notice of declaration of recess and continuance or amended notice on the municipal website as soon as possible.

Notes:

In terms of a definition of a weather emergency, this legislation, at the recommendation of the MMA, uses similar language for moderators postponing town meeting due to inclement weather or a public safety emergency (Ch. 487 of the Acts of 2014/ Ch. 39 Section 10A of MGL). This language leaves it up to the local officials to determine when an emergency has occurred that requires postponing meetings.

The public notice that is required to be given by the chair of a municipal board for the postponement is a general public notice of postponement. The intent is to get the notice posted on a municipal website/public place for everyone to see and have access to. The public would need to check the website to see if the meeting is cancelled due to a weather emergency.