



General Assembly

February Session, 2024

Raised Bill No. 5315

LCO No. 2267



Referred to Committee on GOVERNMENT
ADMINISTRATION AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING MEMBER PARTICIPATION DURING REMOTE
AND HYBRID MUNICIPAL PUBLIC AGENCY MEETINGS UNDER THE
FREEDOM OF INFORMATION ACT.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 1-225a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) As used in this section, "public agency", "meeting", "executive
4 session", "electronic equipment" and "electronic transmission" have the
5 same meanings as provided in section 1-200, and "municipal public
6 agency" means any legislative body, board of finance or local or regional
7 board of education of a municipality, as defined in section 7-148.

8 (b) On and after July 1, 2021, a public agency may hold a public
9 meeting that is accessible to the public by means of electronic equipment
10 or by means of electronic equipment in conjunction with an in-person
11 meeting, in accordance with the provisions of this section. Except as
12 provided in subsections (e) and (g) of this section, in the case of a
13 municipal public agency meeting conducted solely or in part by means

14 of electronic equipment, any member of the municipal public agency
15 who is not attending such meeting in person may only participate in
16 such meeting by means of electronic equipment that is capable of
17 transmitting video of such member in accordance with subsection (e) of
18 this section. Not less than forty-eight hours before any public agency,
19 except for the General Assembly, conducts a regular meeting by means
20 of electronic equipment, such agency shall provide direct notification in
21 writing or by electronic transmission to each member of the public
22 agency and post a notice that such agency intends to conduct the
23 meeting solely or in part by means of electronic equipment (1) in the
24 agency's regular office or place of business, (2) in the office and on the
25 Internet web site of the Secretary of the State for any such public agency
26 of the state or quasi-public agency, in the office of the clerk of such
27 subdivision for any public agency of a political subdivision of the state
28 that is not a quasi-public agency, or in the office of the clerk of each
29 municipal member of any multitown district or agency, and (3) if the
30 agency has an Internet web site, on such Internet web site. Not less than
31 twenty-four hours prior to any such meeting, such agency shall post the
32 agenda for any such meeting in the same manner as the notice of the
33 meeting in accordance with subdivisions (1) to (3), inclusive, of this
34 subsection. Such notice and agenda shall include instructions for the
35 public, to attend and provide comment or otherwise participate in the
36 meeting, by means of electronic equipment or in person, as applicable
37 and permitted by law. Any such notice and agenda shall be posted in
38 accordance with the provisions of section 1-225.

39 [(b)] (c) Any public agency that conducts a meeting, other than an
40 executive session or special meeting, as described in this section, solely
41 by means of electronic equipment, shall (1) provide any member of the
42 public (A) upon a written request submitted not less than twenty-four
43 hours prior to such meeting, with a physical location and any electronic
44 equipment necessary to attend such meeting in real-time, and (B) the
45 same opportunities to provide comment or testimony and otherwise
46 participate in such meeting that such member of the public would be
47 accorded if such meeting were held in person, except that a public

48 agency is not required to adjourn or postpone a meeting if a member of
49 the public loses the ability to participate because of an interruption,
50 failure or degradation of such person's connection to the meeting by
51 electronic equipment; (2) ensure that such meeting is recorded or
52 transcribed, excluding any portion of the meeting that is an executive
53 session, and such transcription or recording is posted on the agency's
54 Internet web site and made available to the public to view, listen to and
55 copy in the agency's office or regular place of business not later than
56 seven days after the meeting and for not less than forty-five days
57 thereafter; and (3) if a quorum of the members of a public agency attend
58 a meeting by means of electronic equipment from the same physical
59 location, permit members of the public to attend such meeting in such
60 physical location. Any public agency that conducts a meeting shall
61 provide members of the public agency the opportunity to participate by
62 means of electronic equipment, except that a public agency is not
63 required to adjourn or postpone a meeting if a member loses the ability
64 to participate because of an interruption, failure or degradation of that
65 member's connection by electronic equipment, unless the member's
66 participation is necessary to form a quorum.

67 [(c)] (d) Any public agency other than the General Assembly that
68 conducts a special meeting shall include in the notice of such meeting
69 whether the meeting will be conducted solely or in part by means of
70 electronic equipment and, not less than twenty-four hours prior to such
71 meeting, shall post such notice and an agenda of the meeting in
72 accordance with the provisions of subsection (d) of section 1-225. If such
73 special meeting is to be conducted by means of electronic equipment,
74 such notice and agenda shall include instructions for the public, by
75 means of electronic equipment or in person, to attend and provide
76 comment or otherwise participate in the meeting, as applicable and
77 permitted by law.

78 [(d)] (e) Any vote taken at a meeting during which any member
79 participates by means of electronic equipment shall be taken by roll call,
80 unless the vote is unanimous. The minutes of the meeting shall record a
81 list of members that attended such meeting in person and a list of

82 members that attended such meeting by means of electronic equipment.
83 In the case of a member of a municipal public agency participating in a
84 meeting by means of electronic equipment, such member shall, to the
85 extent practicable, be visible on such electronic equipment whenever
86 speaking during the debate or casting a vote during such meeting,
87 except such member may participate without being visible on such
88 electronic equipment in the event of an interruption, failure or
89 degradation of the member's connection by electronic equipment, a lack
90 of adequate Internet access or electronic equipment capable of
91 providing a video connection, or similar technical issues.

92 [(e)] (f) Any member of a public agency or the public who participates
93 orally in a meeting of a public agency conducted by means of electronic
94 equipment shall make a good faith effort to state such member's name
95 and title, if applicable, at the outset of each occasion that such member
96 participates orally during an uninterrupted dialogue or series of
97 questions and answers.

98 [(f)] (g) Whenever a meeting being conducted by means of electronic
99 equipment is interrupted by the failure, disconnection or, in the
100 chairperson's determination, unacceptable degradation of the electronic
101 means of conducting a meeting, or if a member necessary to form a
102 quorum loses the ability to participate because of the interruption,
103 failure or degradation of such member's connection by electronic
104 equipment, the public agency may, not less than thirty minutes and not
105 more than two hours from the time of the interruption or the
106 chairperson's determination, resume the meeting (1) in person, if a
107 quorum is present in person, or (2) if a quorum is restored by means of
108 electronic equipment, solely or in part by such electronic equipment. In
109 each case of resumption of such meeting, electronic access shall be
110 restored to the public if such capability has been restored. The public
111 agency shall, if practicable, post a notification on its Internet web site
112 and inform attendees by electronic transmission of the expected time of
113 resumption or of the adjournment or postponement of the meeting, as
114 applicable, and may announce at the beginning of any meeting what
115 preplanned procedures are in place for resumption of a meeting in the

116 event of an interruption as described in this subsection.

117 ~~[(g)]~~ (h) Nothing in this section shall be construed to require a public
118 agency to offer members of the public who attend a meeting by means
119 of electronic equipment the opportunity for public comment, testimony
120 or other participation if the provision of such opportunity is not
121 required by law for members of the public who attend such a meeting
122 in person.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2024	1-225a
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GAE *Joint Favorable*

PD *Joint Favorable*