

**SENATE . . . . . No. 2104**

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**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:	DISTRICT/ADDRESS:	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/23/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/24/2021</i>

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By Ms. Rausch, a petition (accompanied by bill, Senate, No. 2104) of Rebecca L. Rausch, James J. O'Day and Joanne M. Comerford for legislation to update the Open Meeting Law to support remote participation. State Administration and Regulatory Oversight.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

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 2018 Official  
2 Edition, is hereby amended by striking out paragraph (d) of section 20.

3 SECTION 2. Chapter 30A of the General Laws, as appearing in the 2018 Official  
4 Edition, is hereby amended by inserting 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 through 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 virtual meeting while  
21 those proceedings are occurring. Documents used for any such meeting should be made available  
22 to 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 virtual meetings without  
27 subscription, toll, or similar charge to the public.

28 (e) A public body that elects to conduct its proceedings remotely shall ensure that any  
29 party entitled or required to appear before it may do so through remote means, as if the party  
30 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 remote meeting held pursuant to this law.