

HOUSE No. 4575

The Commonwealth of Massachusetts

PRESENTED BY:

David Paul Linsky

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 authorizing the town of Natick to hold hybrid town meeting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/1/2022</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/3/2022</i>

HOUSE No. 4575

By Mr. Linsky of Natick, a petition (accompanied by bill, House, No. 4575) of David Paul Linsky and Rebecca L. Rausch (by vote of the town) that the town of Natick be authorized to hold hybrid town meetings at which participants attend both in person and remotely. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act authorizing the town of Natick to hold hybrid town meeting.

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. Notwithstanding any general or specific law, charter provision, ordinance or
2 by-law to the contrary, the Town of Natick my hold town meetings at which participants attend
3 both in person and remotely (hereinafter sometimes called a “hybrid meeting”), subject to the
4 following:

5 a) The determination of whether a town meeting shall be a hybrid meeting shall be made
6 by the Select Board at the time that it approves the warrant for such meeting, and the warrant
7 shall contain such provisions as shall be deemed by the moderator and Town Counsel to be
8 necessary in order properly to notify participants in such meeting of the requirements set forth in
9 this section.

10 b) Except as otherwise set forth in this section, town meeting members and other
11 participants in a hybrid meeting may elect to attend such meeting either in person, at the location

12 designated in the warrant for such meeting, or remotely by means of a video conferencing
13 platform.

14 c) All town meeting members attending a hybrid meeting, whether in person or remotely,
15 shall be counted for purposes of determining the presence of a quorum at the meeting.

16 d) The moderator, the Town Clerk and certain members of the Town's information
17 technology staff and other persons required to operate the voting and other technical systems
18 necessary for the proper function of a hybrid meeting in accordance with this section shall attend
19 each session of a hybrid meeting in person. All other participants in a hybrid meeting, including
20 town meeting members and other residents and non-residents of the Town, may attend each
21 session of a hybrid meeting either in person or remotely. In order to attend a session of a hybrid
22 meeting remotely, a participant shall be required to provide written or electronic notice of such
23 participation to the moderator and Town Clerk, which notice shall be required to be received no
24 later than 48 hours before such session. Such notices may cover such person's remote attendance
25 at one or more sessions of a hybrid meeting. Such notice requirement may in general or in
26 specific instances be waived for Town officials and other Town employees by the moderator, by
27 a written notice to the Town Clerk and Office of the Select Board.

28 e) The video conferencing platform shall afford all remote participants in a hybrid
29 meeting the ability to identify and hear the moderator and each town meeting member who
30 attends the meeting, as well as any other persons who participate in the meeting. All remote
31 participants in a hybrid meeting shall have substantially the same access as in-person participants
32 to the content of handouts, presentations and other material distributed or displayed, prior to or
33 during the meeting, to in-person participants in the meeting.

34 f) All participants in a hybrid meeting, whether attending in person or remotely, shall
35 have a substantially equal opportunity to request recognition by the moderator. All town meeting
36 members shall have a substantially equal opportunity to make a motion or raise a point of order
37 or question of privilege.

38 g) All town meeting members participating in a hybrid meeting, whether attending in
39 person or remotely, shall have the opportunity to vote on all matters put to a vote of town
40 meeting members; such votes shall to the extent feasible be taken substantially
41 contemporaneously; and such votes shall in the case of recorded votes be published as soon as
42 practicable subject to the abilities of the respective voting system used for in-person and remote
43 votes. All votes at a hybrid meeting shall be taken by such means and in such a manner as shall
44 be determined by the moderator and consistent with any General By-law of the Town to record
45 accurately and securely the votes of those entitled to vote at the meeting.

46 h) Town meeting members who do not have access to the video or other conferencing
47 system used for remote participation in a hybrid meeting may participate in the meeting via
48 telephonic or voice over internet protocol (VOIP) means. The requirements of sub-sections (e)
49 and (f) of this section shall to the extent that they cannot be complied with through said
50 telephonic or related means not apply to town meeting members.

51

52 SECTION 2. All actions taken during a hybrid meeting held pursuant to section 1 are
53 hereby ratified, validated and confirmed to the same extent as if the hybrid meeting had been
54 conducted entirely in person, and such actions shall be deemed to comply in all respect with all
55 other applicable laws, charter provisions and by-laws.

56

57 SECTION 3. This act shall take effect upon its passage.

58 or otherwise act thereon.