

SENATE No. 2037

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 relative to virtual meetings of appointed statewide public bodies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Julian Cyr</i>	<i>Cape and Islands</i>	
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/24/2021</i>

SENATE No. 2037

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2037) of Julian Cyr and Sarah K. Peake for legislation relative to virtual meetings of appointed statewide public bodies. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act relative to virtual meetings of appointed statewide public bodies.

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 statewide public body whose members are appointed (for the purposes
6 of this section hereafter referred to as “public body”) may allow remote participation by any
7 member for any meeting of the public body. For the purposes of this section, the term remote
8 participation means participation by a member of a public body during a meeting of that public
9 body where the member is not physically present at the meeting location.

10 (b) Members remotely participating in a meeting may vote, shall be considered present
11 and in attendance for all purposes, including for purposes of determining a quorum and for the
12 purposes of section 23D of chapter 39.

13 (c) All members of the public body participating either remotely or at a meeting location
14 shall be clearly audible to one another and shall make known the names of members of the
15 public present either remotely or at a meeting location

16 (d) For any meeting conducted through remote participation, the public body shall make
17 provisions to ensure public access to the deliberations of the public body for interested members
18 of the public through adequate, alternative means. Adequate, alternative means of public access
19 shall mean measures that provide transparency and permit timely and effective public access to
20 the virtual meeting. Such means may include, without limitation, providing public access
21 through telephone, Internet or satellite enabled audio or video conferencing or any other
22 technology that enables the public to clearly follow the proceedings of the virtual meeting while
23 those proceedings are occurring. Documents used for any such meeting should be made available
24 to the public before or at the time of the meeting of the public body. Where allowance for active,
25 real-time participation by members of the public is a specific requirement of a general or special
26 law or regulation, or a charter or by-law, pursuant to which the proceeding is conducted, any
27 alternative means of public access shall provide for such participation. A public body shall offer
28 its selected alternative means of public access to virtual meetings without subscription, toll, or
29 similar charge to the public.

30 (e) A public body that elects to conduct its proceedings remotely shall ensure that any
31 party entitled or required to appear before it may do so through remote means, as if the party
32 were a member of the public body participating remotely.