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S.222

Introduced by Committee on Government Operations

Date: January 7, 2022

Subject: General provisions; public information; Open Meeting Law;
temporary provisions

Statement of purpose of bill as introduced: This bill proposes to authorize temporary Open Meeting Law procedures until January 15, 2023 that permit a public body to:

(1) hold electronic meetings of the public body without designating a physical location and without requiring staff to be physically present at that location;

(2) in the event of a staffing shortage, extend the time limit for the posting of minutes of a meeting; and

(3) post any meeting agenda or notice of a special meeting in two designated electronic locations in lieu of the two designated public places in the municipality.

An act relating to authorizing temporary Open Meeting Law procedures in response to COVID-19

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. LEGISLATIVE INTENT; COVID-19 RESPONSE AND OPEN

3 MEETINGS

4 It is the intent of the General Assembly that during the continued spread of
5 coronavirus disease 2019 (COVID-19) in the State of Vermont, public bodies
6 should organize and hold open meetings in a manner that will protect the
7 health and welfare of the public while providing access to the operations of
8 government. Accordingly, this act sets forth temporary Open Meeting Law
9 procedures in response to COVID-19.

10 Sec. 2. OPEN MEETING LAW; TEMPORARY SUSPENSION OF

11 DESIGNATED PHYSICAL MEETING LOCATION

12 REQUIREMENTS

13 (a) Notwithstanding 1 V.S.A. § 312(a), until January 15, 2023:

14 (1) a quorum or more of the members of a public body may attend a
15 regular, special, or emergency meeting by electronic or other means without
16 being physically present at a designated meeting location;

17 (2) the public body shall not be required to designate a physical meeting
18 location where the public may attend; and

19 (3) the members and staff of the public body shall not be required to be
20 physically present at a designated meeting location.

1 (b) When the public body meets electronically under subsection (a) of this
2 section, the public body shall:

3 (1) use technology that permits the attendance of the public through
4 electronic or other means;

5 (2) allow the public to access the meeting by telephone; and

6 (3) post information that enables the public to directly access and
7 participate in meetings electronically and include this information in the
8 published agenda for each meeting.

9 (c) Unless unusual circumstances make it impossible for them to do so, the
10 legislative body of each municipality and each school board shall record its
11 meetings held pursuant to this section.

12 (d) Until January 15, 2023, in the event of a staffing shortage due to
13 COVID-19, a public body may extend the time limit for the posting of minutes
14 prescribed in 1 V.S.A. § 312(b)(2) to not more than 10 days from the date of
15 the meeting.

16 (e) Notwithstanding 1 V.S.A. § 312(c)(2) and (d)(1)(B), until January 15,
17 2023, a municipal public body may post any meeting agenda or notice of a
18 special meeting in two designated electronic locations in lieu of the two
19 designated public places in the municipality or in a combination of a
20 designated electronic location and a designated public place. A municipal
21 public body shall post the notice or agenda in or near the municipal clerk's

1 office and shall provide a copy of each notice or agenda to the newspapers of
2 general circulation for the municipality.

3 Sec. 3. EXPIRATION OF TEMPORARY AUTHORITY

4 The authority granted by this act shall expire on January 15, 2023.

5 Sec. 4. EFFECTIVE DATE

6 This act shall take effect on passage.