

1 Introduced by Senate Committee on Government Operations

2 Date:

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

5 Statement of purpose of bill as introduced: This bill proposes to authorize
6 temporary Open Meeting Law procedures until April 30, 2022 that permit a
7 public body to:

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

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

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

16 An act relating to authorizing temporary Open Meeting Law procedures in
17 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. Public bodies should meet electronically and provide the public
9 with electronic access to meetings in lieu of a designated physical location.
10 Accordingly, this act sets forth temporary Open Meeting Law procedures in
11 response to COVID-19.

12 Sec. 2. OPEN MEETING LAW; TEMPORARY SUSPENSION OF
13 DESIGNATED PHYSICAL MEETING LOCATION
14 REQUIREMENTS

15 (a) Notwithstanding 1 V.S.A. § 312(a), during the year 2022:

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

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

21 (3) the members and staff of the public body shall not be required to be

1 physically present at a designated meeting location.

2 (b) When the public body meets electronically under subsection (a) of this
3 section, the public body shall use technology that permits the attendance of the
4 public through electronic or other means. The public body shall allow the
5 public to access the meeting by telephone whenever feasible. The public body
6 shall post information on how the public may access meetings electronically
7 and shall include this information in the published agenda for each meeting.

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

11 (d) In the event of a staffing shortage during the year 2022 due to COVID-
12 19, a public body may extend the time limit for the posting of minutes
13 prescribed in 1 V.S.A. § 312(b)(2) to not more than 10 days from the date of
14 the meeting.

15 (e) Notwithstanding subdivisions (c)(2) and (d)(1)(B) of 1 V.S.A. § 312,
16 during the year 2022, a municipal public body may post any meeting agenda or
17 notice of a special meeting in two designated electronic locations in lieu of the
18 two designated public places in the municipality, or in a combination of a
19 designated electronic location and a designated public place. A municipal
20 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 April 30, 2022.

5 Sec. 4. EFFECTIVE DATE

6 This act shall take effect on passage.