

No. 78. An act relating to authorizing temporary Open Meeting Law procedures in response to COVID-19.

(S.222)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Notwithstanding 1 V.S.A. § 312(c)(2) and (d)(1)(B), until January 15, 2023, a municipal public body may 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 or in a combination of a designated electronic location and a designated public place. A municipal public body shall post the notice or agenda in or near the municipal clerk's

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

Sec. 3. EXPIRATION OF TEMPORARY AUTHORITY

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

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: January 18, 2022