



CLIENT ALERT

GOVERNOR BAKER SIGNS EMERGENCY ORDER ALLOWING REMOTE MEETINGS OF PUBLIC BODIES

Governor Baker signed an emergency order on March 12, 2020 modifying the Commonwealth's Open Meeting Law in response to the COVID-19 outbreak (the "Order"). Under the Order, public bodies subject to the Open Meeting Law:

1. Are relieved from the requirement to hold meetings in a public place that is open and physically accessible to the public, provided that provisions are made to ensure public access to deliberations for members of the public through other means. This includes the use of a phone conference line, social media and internet streaming services as well as other similar methods of access; and
2. May permit remote participation by all members of the body. This suspends the requirement that a quorum of members and the chair of a public body must be physically present at a specified location.

Public bodies that utilize the relief described above must:

1. Include notice of how the public may follow a public meeting in the meeting notice, such as by posting a call-in number with the Open Meeting Law notice; and
2. Ensure that any party entitled or required to appear before the body may participate through the same means as members of the body.

The Order will remain in effect until the Order is rescinded, or until the Governor's declaration of a State of Emergency is terminated.

The full Order may be viewed at: <https://www.mass.gov/doc/order-suspending-certain-provision-of-open-meeting-law/download>

If you have any questions about the Order or compliance with the Open Meeting Law generally, please contact Attorneys Elka Sachs, esachs@kb-law.com, or Eric Reustle, ereustle@kb-law.com.