



General Assembly

Amendment

February Session, 2022

LCO No. 5337



Offered by:
SEN. SAMPSON, 16th Dist.

To: Subst. House Bill No. 5269

File No. 512

Cal. No. 369

**"AN ACT CONCERNING REMOTE MEETINGS UNDER THE
FREEDOM OF INFORMATION ACT."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 149 of public act 21-2 of the June special session is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (a) As used in this section, "public agency", "meeting", "executive
7 session", "electronic equipment" and "electronic transmission" have the
8 same meanings as provided in section 1-200 of the general statutes. On
9 and after [the effective date of this section until April 30, 2022] July 1,
10 2021, a public agency may hold a public meeting that is accessible to the
11 public by means of electronic equipment [or by means of electronic
12 equipment] in conjunction with an in-person meeting, in accordance
13 with the provisions of this section. Not less than forty-eight hours before
14 any public agency, except for the General Assembly, conducts a regular
15 meeting in part by means of electronic equipment, such agency shall

16 provide direct notification in writing or by electronic transmission to
17 each member of the public agency and post a notice that such agency
18 intends to conduct the meeting [solely or] in part by means of electronic
19 equipment (1) in the agency's regular office or place of business, (2) in
20 the office and on the Internet web site of the Secretary of the State for
21 any such public agency of the state or quasi-public agency, in the office
22 of the clerk of such subdivision for any public agency of a political
23 subdivision of the state that is not a quasi-public agency, or in the office
24 of the clerk of each municipal member of any multitown district or
25 agency, and (3) if the agency has an Internet web site, on such Internet
26 web site. Not less than twenty-four hours prior to any such meeting,
27 such agency shall post the agenda for any such meeting in the same
28 manner as the notice of the meeting in accordance with subdivisions (1)
29 to (3), inclusive, of this subsection. Such notice and agenda shall include
30 instructions for the public, to attend and provide comment or otherwise
31 participate in the meeting, by means of electronic equipment or in
32 person, as applicable and permitted by law. Any such notice and agenda
33 shall be posted in accordance with the provisions of section 1-225 of the
34 general statutes.

35 (b) [Any public agency that conducts a meeting, other than an
36 executive session or special meeting, as described in this section, solely
37 by means of electronic equipment, shall (1) provide any member of the
38 public (A) upon a written request submitted not less than twenty-four
39 hours prior to such meeting, with a physical location and any electronic
40 equipment necessary to attend such meeting in real-time, and (B) the
41 same opportunities to provide comment or testimony and otherwise
42 participate in such meeting that such member of the public would be
43 accorded if such meeting were held in person, except that a public
44 agency is not required to adjourn or postpone a meeting if a member of
45 the public loses the ability to participate because of an interruption,
46 failure or degradation of such person's connection to the meeting by
47 electronic equipment; (2) ensure that such meeting is recorded or
48 transcribed, excluding any portion of the meeting that is an executive
49 session, and such transcription or recording is posted on the agency's

50 Internet web site and made available to the public to view, listen to and
51 copy in the agency's office or regular place of business not later than
52 seven days after the meeting and for not less than forty-five days
53 thereafter; and (3) if a quorum of the members of a public agency attend
54 a meeting by means of electronic equipment from the same physical
55 location, permit members of the public to attend such meeting in such
56 physical location.] Any public agency that conducts a meeting [shall]
57 may provide members of the public agency the opportunity to
58 participate by means of electronic equipment, [except that] provided a
59 public agency is not required to adjourn or postpone a meeting if a
60 member loses the ability to participate because of an interruption,
61 failure or degradation of that member's connection by electronic
62 equipment, unless the member's participation is necessary to form a
63 quorum.

64 (c) Any public agency other than the General Assembly that conducts
65 a special meeting shall include in the notice of such meeting whether the
66 meeting will be conducted [solely or] in part by means of electronic
67 equipment and, not less than twenty-four hours prior to such meeting,
68 shall post such notice and an agenda of the meeting in accordance with
69 the provisions of subsection (d) of section 1-225 of the general statutes.
70 If such special meeting is to be conducted in part by means of electronic
71 equipment, such notice and agenda shall include instructions for the
72 public, by means of electronic equipment or in person, to attend and
73 provide comment or otherwise participate in the meeting, as applicable
74 and permitted by law.

75 (d) Any vote taken at a meeting during which any member
76 participates by means of electronic equipment shall be taken by roll call,
77 unless the vote is unanimous. The minutes of the meeting shall record a
78 list of members that attended such meeting in person and a list of
79 members that attended such meeting by means of electronic equipment.

80 (e) Any member of a public agency or the public who participates
81 orally in a meeting of a public agency conducted in part by means of
82 electronic equipment shall make a good faith effort to state such

83 member's name and title, if applicable, at the outset of each occasion that
84 such member participates orally during an uninterrupted dialogue or
85 series of questions and answers.

86 (f) Whenever a meeting being conducted in part by means of
87 electronic equipment is interrupted by the failure, disconnection or, in
88 the chairperson's determination, unacceptable degradation of the
89 electronic means of conducting a meeting, or if a member necessary to
90 form a quorum loses the ability to participate because of the
91 interruption, failure or degradation of such member's connection by
92 electronic equipment, the public agency may, not less than thirty
93 minutes and not more than two hours from the time of the interruption
94 or the chairperson's determination, resume the meeting (1) solely in
95 person, if a quorum is present in person, or (2) if a quorum is restored
96 by means of electronic equipment, [solely or] in part by such electronic
97 equipment. In each case of resumption of such meeting, electronic access
98 shall be restored to the public if such capability has been restored. The
99 public agency shall, if practicable, post a notification on its Internet web
100 site and inform attendees by electronic transmission of the expected
101 time of resumption or of the adjournment or postponement of the
102 meeting, as applicable, and may announce at the beginning of any
103 meeting what preplanned procedures are in place for resumption of a
104 meeting in the event of an interruption as described in this subsection.

105 (g) Nothing in this section shall be construed to require a public
106 agency to offer members of the public who attend a meeting by means
107 of electronic equipment the opportunity for public comment, testimony
108 or other participation if the provision of such opportunity is not
109 required by law for members of the public who attend such a meeting
110 in person."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	PA 21-2 of the June Sp. Sess., Sec. 149