



General Assembly

**Amendment**

February Session, 2022

LCO No. 5609



Offered by:  
SEN. SAMPSON, 16<sup>th</sup> 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4 repealed and the following is substituted in lieu thereof (*Effective from*  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,] a public  
10 agency may hold a public meeting that is accessible to the public by  
11 means of electronic equipment [or by means of electronic equipment] in  
12 conjunction with an in-person meeting, in accordance with the  
13 provisions of this section, provided a quorum of the public agency shall  
14 be present in-person for any such meeting. Not less than forty-eight  
15 hours before any public agency, except for the General Assembly,

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

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

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

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

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

81 (e) Any member of a public agency or the public who participates  
82 orally in a meeting of a public agency conducted in a manner allowing

83 for participation by means of electronic equipment shall make a good  
84 faith effort to state such member's name and title, if applicable, at the  
85 outset of each occasion that such member participates orally during an  
86 uninterrupted dialogue or series of questions and answers.

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

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

This act shall take effect as follows and shall amend the following sections:

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Section 1	<i>from passage</i>	PA 21-2 of the June Sp. Sess., Sec. 149
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