



# House of Representatives

General Assembly

**File No. 445**

February Session, 2024

House Bill No. 5315

*House of Representatives, April 11, 2024*

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING MEMBER PARTICIPATION DURING REMOTE AND HYBRID MUNICIPAL PUBLIC AGENCY MEETINGS UNDER THE FREEDOM OF INFORMATION ACT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-225a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) As used in this section, "public agency", "meeting", "executive  
4 session", "electronic equipment" and "electronic transmission" have the  
5 same meanings as provided in section 1-200, and "municipal public  
6 agency" means any legislative body, board of finance or local or regional  
7 board of education of a municipality, as defined in section 7-148.

8 (b) On and after July 1, 2021, a public agency may hold a public  
9 meeting that is accessible to the public by means of electronic equipment  
10 or by means of electronic equipment in conjunction with an in-person  
11 meeting, in accordance with the provisions of this section. Except as  
12 provided in subsections (e) and (g) of this section, in the case of a

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

39 [(b)] (c) Any public agency that conducts a meeting, other than an  
40 executive session or special meeting, as described in this section, solely  
41 by means of electronic equipment, shall (1) provide any member of the  
42 public (A) upon a written request submitted not less than twenty-four  
43 hours prior to such meeting, with a physical location and any electronic  
44 equipment necessary to attend such meeting in real-time, and (B) the  
45 same opportunities to provide comment or testimony and otherwise  
46 participate in such meeting that such member of the public would be  
47 accorded if such meeting were held in person, except that a public

48 agency is not required to adjourn or postpone a meeting if a member of  
49 the public loses the ability to participate because of an interruption,  
50 failure or degradation of such person's connection to the meeting by  
51 electronic equipment; (2) ensure that such meeting is recorded or  
52 transcribed, excluding any portion of the meeting that is an executive  
53 session, and such transcription or recording is posted on the agency's  
54 Internet web site and made available to the public to view, listen to and  
55 copy in the agency's office or regular place of business not later than  
56 seven days after the meeting and for not less than forty-five days  
57 thereafter; and (3) if a quorum of the members of a public agency attend  
58 a meeting by means of electronic equipment from the same physical  
59 location, permit members of the public to attend such meeting in such  
60 physical location. Any public agency that conducts a meeting shall  
61 provide members of the public agency the opportunity to participate by  
62 means of electronic equipment, except that a public agency is not  
63 required to adjourn or postpone a meeting if a member loses the ability  
64 to participate because of an interruption, failure or degradation of that  
65 member's connection by electronic equipment, unless the member's  
66 participation is necessary to form a quorum.

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

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

82 members that attended such meeting by means of electronic equipment.  
83 In the case of a member of a municipal public agency participating in a  
84 meeting by means of electronic equipment, such member shall, to the  
85 extent practicable, be visible on such electronic equipment whenever  
86 speaking during the debate or casting a vote during such meeting,  
87 except such member may participate without being visible on such  
88 electronic equipment in the event of an interruption, failure or  
89 degradation of the member's connection by electronic equipment, a lack  
90 of adequate Internet access or electronic equipment capable of  
91 providing a video connection, or similar technical issues.

92 [(e)] (f) Any member of a public agency or the public who participates  
93 orally in a meeting of a public agency conducted by means of electronic  
94 equipment shall make a good faith effort to state such member's name  
95 and title, if applicable, at the outset of each occasion that such member  
96 participates orally during an uninterrupted dialogue or series of  
97 questions and answers.

98 [(f)] (g) Whenever a meeting being conducted by means of electronic  
99 equipment is interrupted by the failure, disconnection or, in the  
100 chairperson's determination, unacceptable degradation of the electronic  
101 means of conducting a meeting, or if a member necessary to form a  
102 quorum loses the ability to participate because of the interruption,  
103 failure or degradation of such member's connection by electronic  
104 equipment, the public agency may, not less than thirty minutes and not  
105 more than two hours from the time of the interruption or the  
106 chairperson's determination, resume the meeting (1) in person, if a  
107 quorum is present in person, or (2) if a quorum is restored by means of  
108 electronic equipment, solely or in part by such electronic equipment. In  
109 each case of resumption of such meeting, electronic access shall be  
110 restored to the public if such capability has been restored. The public  
111 agency shall, if practicable, post a notification on its Internet web site  
112 and inform attendees by electronic transmission of the expected time of  
113 resumption or of the adjournment or postponement of the meeting, as  
114 applicable, and may announce at the beginning of any meeting what  
115 preplanned procedures are in place for resumption of a meeting in the

116 event of an interruption as described in this subsection.

117        [(g)] (h) Nothing in this section shall be construed to require a public  
118 agency to offer members of the public who attend a meeting by means  
119 of electronic equipment the opportunity for public comment, testimony  
120 or other participation if the provision of such opportunity is not  
121 required by law for members of the public who attend such a meeting  
122 in person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	1-225a

**GAE**        *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill requires members of certain municipal public agencies participating through electronic means in a public meeting to be visible when speaking or casting a vote. The bill, however, provides certain conditions under which the members do not have to be visible. This does not result in a fiscal impact to municipalities as it only changes requirements for the participating members.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****HB 5315*****AN ACT CONCERNING MEMBER PARTICIPATION DURING REMOTE AND HYBRID MUNICIPAL PUBLIC AGENCY MEETINGS UNDER THE FREEDOM OF INFORMATION ACT.*****SUMMARY**

This bill generally requires members of certain municipal public agencies participating in a public meeting remotely to (1) do so with electronic equipment that can transmit video and (2) be visible, to the extent practicable, when speaking during a debate or casting a vote. Under the bill, however, the members do not have to be visible if there is an interruption, failure, or degradation of their connection; a lack of adequate Internet access or capable equipment; or similar technical issues.

The bill applies to members of municipal legislative bodies, boards of finance, and local or regional boards of education. A “municipality” is any town, city or borough, consolidated town and city, or consolidated town and borough.

EFFECTIVE DATE: October 1, 2024

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 19    Nay 0    (03/22/2024)