

Government Administration and Elections Committee
JOINT FAVORABLE REPORT

Bill No.: HB-5315

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

Title: OF INFORMATION ACT.

Vote Date: 3/22/2024

Vote Action: Joint Favorable

PH Date: 3/4/2024

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

The legislation aims to ensure transparency and the appropriate use of remote means of participation by requiring members participating in a municipal public agency meeting by means of electronic equipment to be visible when debating or voting with certain specified exceptions.

RESPONSE FROM ADMINISTRATION/AGENCY:

Colleen Murphy, FOI Commission Executive Director:

The Commission supports the goal of increasing accountability and transparency that underly HB 5315 but believes the bill should be amended to clarify the exceptions set forth therein. The Commission is particularly concerned with the provision in subsection (e) which creates an exception "in the event of...a lack of adequate...electronic equipment capable of providing a video connection", that it may allow a member to participate without a video connection on a regular basis if the member does not have routine access to "electronic equipment providing a video connection", thus undermining the bill's intent.

NATURE AND SOURCES OF SUPPORT:

Michael Savino, CT Council on FOI President:

The bill will help the public stay informed during public meetings; access to public meetings is broader now that they are being streamed virtually and it only makes sense that members of the public be able to see those participating or voting.

NATURE AND SOURCES OF OPPOSITION:

Randy Collins, CCM Associate Director of Policy:

Opposes the legislation as it would require members participating in municipal public agency meetings remotely to be visible when debating or voting, which would seem to limit the ability of remote participation to those that have consistent and solid internet service. This would prohibit members from participating solely by telephone.

Betsy Gara, CT Council of Small Towns Executive Director:

Although it is best practice to require individuals speaking or voting on matters in a municipal meeting to be visible, there is concern the bill may create confusion. By requiring members of municipal body to be visible when speaking or voting, the bill also appears to prohibit members from participating by telephone alone unless there is "a lack of adequate internet access or electronic equipment capable of providing a video connection, or similar technical issues". This language invites confusion and may raise questions as to the validity of votes taken when members are using a telephone not visible. As drafted, the bill includes any "legislative body", and where town meetings are concerned this may undermine opportunities for the public to participate, resulting in less transparency.

Reported by: Lindsay de Brito

Date: 4/4/24