

Remote Public Meetings Authorized Through April of 2022; New Law Extends Additional COVID-19 Emergency Rules

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Public bodies may continue to hold remote meetings through April of 2022 under new legislation enacted this week.

The statute, [Chapter 20 of the Acts of 2021](#), authorizes a quorum of a board or committee to meet remotely and require remote public access to the meeting, extending a modification to the Open Meeting Law put into place in March of 2020. The new statute also extends other COVID-19 rules that had proven popular or necessary even after the end of COVID-19 restrictions.

Remote Meetings:

Under the amended Open Meeting Law, a quorum of a public body may meet remotely without the chair or any other member being physically present in a meeting location. In addition, a public body may require the public to access a meeting through remote means so long as it provides “adequate, alternative means of public access” that provide “transparency and permit timely and effective public access to the deliberations of the public body, including, but not limited to, providing public access through telephone, internet, satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body.”

These provisions were included in one of Governor Baker’s earliest COVID-19 emergency orders, and are now part of the Open Meeting Law through April 1, 2022 (unless further extended).

Individuals entitled or required to appear and present before a public



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body remotely must be given the same level of remote access as members of the public body (being promoted to “panelist” or “presenter”, rather than simply observing a livecast or participating through audio only.)

The statute also ratifies and validates remote public meetings held on June 15, which fell outside of the protections of the Governor’s order and the effective date of the new law.

Other Extensions:

In addition to allowing for continued remote access to public meetings, Chapter 20 of Acts of 2021 extends several other COVID-19 rules, as follows:

- Authorizes the reduction of the quorum at any town meeting through December 15, 2021;
- Allows representative town meetings to meet by remote participation through December 15, 2021;
- Extends local outdoor dining approvals until April 1, 2022;
- Extends “to go” sales of wine, beer, and cocktails for off-premises consumption through May 1, 2022;
- Extends certain eviction protections put in place during the pandemic until April 1, 2022; and
- Extends certain flexibilities for assisted living residences, and the ability for medical assistants, podiatrists, phlebotomists, and certain military personnel to administer COVID-19 vaccines.

The statute contains an emergency preamble and therefore takes effect immediately.

Please contact a member of Mirick O’Connell’s Public and Municipal Law Group with specific questions on the new law.