



General Assembly

**Substitute Bill No. 5269**

February Session, 2022



**AN ACT CONCERNING REMOTE 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 149 of public act 21-2 of the June special session is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) As used in this section, "public agency", "meeting", "executive  
5 session", "electronic equipment" and "electronic transmission" have the  
6 same meanings as provided in section 1-200 of the general statutes. On  
7 and after the effective date of this section, [until April 30, 2022,] a public  
8 agency may hold a public meeting that is accessible to the public by  
9 means of electronic equipment or by means of electronic equipment in  
10 conjunction with an in-person meeting, in accordance with the  
11 provisions of this section. Not less than forty-eight hours before any  
12 public agency, except for the General Assembly, conducts a regular  
13 meeting by means of electronic equipment, such agency shall provide  
14 direct notification in writing or by electronic transmission to each  
15 member of the public agency and post a notice that such agency intends  
16 to conduct the meeting solely or in part by means of electronic  
17 equipment (1) in the agency's regular office or place of business, (2) in  
18 the office and on the Internet web site of the Secretary of the State for

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

33 (b) Any public agency that conducts a meeting, other than an  
34 executive session or special meeting, as described in this section, solely  
35 by means of electronic equipment, shall (1) provide any member of the  
36 public (A) upon a written request submitted not less than twenty-four  
37 hours prior to such meeting, with a physical location and any electronic  
38 equipment necessary to attend such meeting in real-time, and (B) the  
39 same opportunities to provide comment or testimony and otherwise  
40 participate in such meeting that such member of the public would be  
41 accorded if such meeting were held in person, except that a public  
42 agency is not required to adjourn or postpone a meeting if a member of  
43 the public loses the ability to participate because of an interruption,  
44 failure or degradation of such person's connection to the meeting by  
45 electronic equipment; (2) ensure that such meeting is recorded or  
46 transcribed, excluding any portion of the meeting that is an executive  
47 session, and such transcription or recording is posted on the agency's  
48 Internet web site and made available to the public to view, listen to and  
49 copy in the agency's office or regular place of business not later than  
50 seven days after the meeting and for not less than forty-five days  
51 thereafter; and (3) if a quorum of the members of a public agency attend  
52 a meeting by means of electronic equipment from the same physical

53 location, permit members of the public to attend such meeting in such  
54 physical location. Any public agency that conducts a meeting shall  
55 provide members of the public agency the opportunity to participate by  
56 means of electronic equipment, except that a public agency is not  
57 required to adjourn or postpone a meeting if a member loses the ability  
58 to participate because of an interruption, failure or degradation of that  
59 member's connection by electronic equipment, unless the member's  
60 participation is necessary to form a quorum.

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

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

77 (e) Any member of a public agency or the public who participates  
78 orally in a meeting of a public agency conducted by means of electronic  
79 equipment shall make a good faith effort to state such member's name  
80 and title, if applicable, at the outset of each occasion that such member  
81 participates orally during an uninterrupted dialogue or series of  
82 questions and answers.

83 (f) Whenever a meeting being conducted by means of electronic  
84 equipment is interrupted by the failure, disconnection or, in the

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

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

**PD**            *Joint Favorable Subst.*