

Remote Meeting Requirements as Required by Public Act 22-3: *An Act Concerning Remote Meetings under the Freedom of Information Act*

Prepared by Justin LaFountain, AICP, CZEO, Planner II

May 24, 2022

OVERVIEW

On April 28, 2022, Governor Ned Lamont signed [Public Act No. 22-3](#), which permanently establishes the requirements for wholly or partially virtual public meetings in Connecticut. These requirements were originally established as a temporary solution during the beginning of the COVID-19 pandemic, but due to the convenience, effectiveness, and popularity of virtual meetings, they are now in effect indefinitely. While the rules have not changed, this paper will provide a reference sheet for what may apply to your commissions.

NOTICE REQUIREMENTS

If a **regular meeting** will be conducted remotely or hybrid remote, members of public agencies must be notified at least **48 hours** in advance. The notice also must be posted with the **Town Clerk** and posted on the **municipal website**. Instructions on how to attend and participate must be included on both the notice and the agenda. The agenda for the meeting can be posted up to 24 hours in advance, as normal. **Special meetings** only require 24 hour advance notice of the virtual aspect of the meeting, but all other above requirements

ATTENDANCE

Members of public agencies must be allowed the opportunity to **participate virtually** in public meetings. However, if that member's connection is lost or disrupted, the agency is not required to postpone the meeting.

If the meeting will be entirely virtual, members of the public can request a **public place and equipment** to access the meeting with 24 hour notice.

If a **quorum of members** is attending the meeting virtually from one location, the public must be allowed in that location.

MEETING CONDUCT

Anyone participating in the meeting virtually must make a 'good faith effort' to **state their name** each time before speaking.

Unless a **vote** is unanimous, the vote must be held by **roll call**.

If a virtual or hybrid meeting experiences **technical issues** and is either disrupted, disconnected, or becomes unworkable in the chairman's discretion, the meeting may be suspended.

- If suspended, the meeting may **resume no less than 30 minutes and no more than 2 hours** from the suspension, either in person if a quorum is present, or virtually if a quorum can re-establish connection.
- The agency should, if practicable, **post the new meeting location and time** (or conversely the postponement or adjournment) to the municipal website, or **inform participants via email**.

MEETING RECORDS

Meetings must be ***recorded or transcribed*** if the meeting is entirely virtual. Recordings must be made available on the ***municipal website*** and in ***municipal offices*** within ***7 days*** of the meeting, and available for at least ***45 days***.

Minutes of the meeting must reflect who ***attended in person*** and who ***attended virtually***, if the meeting is hybrid.

RECOMMENDATIONS

While remote meetings have been common over the past several years, there are some strategies that could be implemented if not already in place. Some recommendations are as follows:

- A staff person should be tasked with monitoring the virtual meeting for messages and comments in the chat box. This staff person should also monitor for any disruptive behavior or 'Zoom bombing.' If someone is being disruptive, they can be removed from the meeting.
- While there is no legal requirement for a contingency plan to be in place if technological issues occur, it would benefit agencies to consider developing such a plan. If developed, the agency may review the contingency plan with all participants at the start of the meeting.
- The chairman of the agency should make a habit of reviewing protocol for the virtual or hybrid meeting at the start, so that members and the public are aware of the regulations, and to help the meeting progress smoothly.
- It is a good idea to use the 'Waiting Room' function during meetings. This allows the host to permit people into the meeting individually, and ask for identification if necessary.