

REMOTE MEETINGS DURING DISASTER DECLARATIONS



FACT SHEET | OPEN MEETINGS ACT

Public Act 101-0640 was signed into law in June of 2020 and amended portions of the Open Meetings Act to allow public bodies the option of meeting remotely when a state disaster declaration has been declared.

Compliance Requirements

- Standard 48-hour notice of a meeting must be provided, except for an emergency meeting, to all members of the public body, posted at the meeting location, on the public body's website and provided to any news media that has requested notice;
- The presiding officer must state the nature of the emergency at the start of each meeting.
- During the meeting, participating members of the public body must be verified and must be able to hear one another, as well as hear all discussion and testimony;
- During open meetings, members of the public who are present at the meeting location of the public body must be able to hear all discussion, testimony and votes of the members of the body;
- Each member of the public body participating by audio or video conference for a meeting held under these provisions is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.
- If attendance at the regular meeting location is not feasible due to the disaster, alternative arrangements must be made and the notice of the meeting must include the arrangements that will provide live public access to hear all parts of the open meeting (i.e., phone number or web-based link);
- At least one member of the public body, the chief legal counsel or the chief administrative officer must be physically present at the meeting location, unless it is not feasible due to the disaster (other members of the public body may attend in person or remotely);
- All votes must be by roll call, identifying each member and recording their vote on each issue;
- Standard minutes of all meetings must be kept, approved and made available for public review as usual;
- A verbatim audio or video recording of all meetings held under these provisions must be made and must be public for review. These recordings are public records and must be maintained pursuant to OMA.