

2026 -- S 2496

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

Introduced By: Senators Britto, McKenney, Euer, DiMario, Lauria, Murray, Appollonio, and Thompson

Date Introduced: February 06, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-46-5 of the General Laws in Chapter 42-46 entitled "Open
2 Meetings" is hereby amended to read as follows:

3 **42-46-5. Purposes for which meeting may be closed — Use of electronic**
4 **communications — Judicial proceedings — Disruptive conduct.**

5 (a) A public body may hold a meeting closed to the public pursuant to § 42-46-4 for one
6 or more of the following purposes:

7 (1) Any discussions of the job performance, character, or physical or mental health of a
8 person or persons provided that the person or persons affected shall have been notified in advance
9 in writing and advised that they may require that the discussion be held at an open meeting.

10 Failure to provide notification shall render any action taken against the person or persons
11 affected null and void. Before going into a closed meeting pursuant to this subsection, the public
12 body shall state for the record that any persons to be discussed have been so notified and this
13 statement shall be noted in the minutes of the meeting.

14 (2) Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to
15 collective bargaining or litigation.

16 (3) Discussion regarding the matter of security including, but not limited to, the deployment
17 of security personnel or devices.

18 (4) Any investigative proceedings regarding allegations of misconduct, either civil or
19 criminal.

(5) Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

(7) A matter related to the question of the investment of public funds where the premature disclosure would adversely affect the public interest. Public funds shall include any investment plan or matter related thereto, including, but not limited to, state lottery plans for new promotions.

10 (8) Any executive sessions of a local school committee exclusively for the purposes:

11 (i) Of conducting student disciplinary hearings; or

12 (ii) Of reviewing other matters that relate to the privacy of students and their records,
13 including all hearings of the various juvenile hearing boards of any municipality; provided,
14 however, that any affected student shall have been notified in advance in writing and advised that
15 the student may require that the discussion be held in an open meeting.

16 Failure to provide notification shall render any action taken against the student or students
17 affected null and void. Before going into a closed meeting pursuant to this subsection, the public
18 body shall state for the record that any students to be discussed have been so notified and this
19 statement shall be noted in the minutes of the meeting.

20 (9) Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining
21 agreement.

22 (10) Any discussion of the personal finances of a prospective donor to a library.

23 (b) No meeting of members of a public body or use of electronic communication, including
24 telephonic communication and telephone conferencing, shall be used to circumvent the spirit or
25 requirements of this chapter; provided, however, these meetings and discussions are not prohibited.

26 (1) Provided, further however, that discussions of a public body via electronic
27 communication, including telephonic communication and telephone conferencing, shall be
28 permitted only to schedule a meeting, except as provided in this subsection.

29 (2) Provided, further however, that a member of a public body may participate by use of
30 electronic communication or telephone communication while on active duty in the armed services
31 of the United States.

(3) Provided, further however, that a member of that public body, who has a disability as defined in chapter 87 of this title and:

34 (i) Cannot attend meetings of that public body solely by reason of the member's disability;

1 and

5 (4) The governor's commission on disabilities is authorized and directed to:

14 (iii) Any waiver decisions shall be a matter of public record.

15 (5) The university of Rhode Island board of trustees members, established pursuant to §
16 16-32-2, are authorized to participate remotely in open public meetings of the board; provided,
17 however, that:

18 (i) The remote members and all persons present at the meeting location are clearly audible
19 and visible to each other;

20 (ii) A quorum of the body is participating;

24 (iv) The board shall adopt rules defining the requirements of remote participation including
25 its use for executive session, and the conditions by which a member is authorized to participate
26 remotely.

27 (6) The Rhode Island Life Science Hub board of directors, established pursuant to § 23-
28 99-4, is authorized to participate remotely in open public meetings of the board, in accordance with
29 the provisions of § 23-99-4(c).

(7) Provided, further however, that any member of a public body that is pregnant or has given birth within the past six (6) months, may participate by use of electronic communication or telephone communication in accordance with the process set forth in this subsection.

33 (8) Provided, further however, that any member of a public body that participates by use
34 of electronic communication or telephone communication in accordance with the process set forth

1 in this subsection, may be permitted to vote by means of electronic communication or telephone
2 communication, provided that the meeting is held in person.

3 (c) This chapter shall not apply to proceedings of the judicial branch of state government
4 or probate court or municipal court proceedings in any city or town.

5 (d) This chapter shall not prohibit the removal of any person who willfully disrupts a
6 meeting to the extent that orderly conduct of the meeting is seriously compromised.

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

- 1 This act would allow a pregnant member or a member that has given birth in the past six
- 2 (6) months to appear remotely to participate in a public body meeting. This act would further permit
- 3 any member that participates in a meeting remotely to also vote remotely at that meeting, provided
- 4 that the meeting is held in person.
- 5 This act would take effect upon passage.

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