

2014 -- S 2638

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LC004324
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - OPEN MEETINGS

Introduced By: Senators DiPalma, and Paiva Weed

Date Introduced: March 04, 2014

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-46 of the General Laws entitled "Open Meetings" is hereby
2 amended by adding thereto the following section:

3 **42-46-5.1. Authorization of remote participation in meetings.** – (a) Notwithstanding
4 the provisions of § 42-46-5(b), cities and towns are empowered to establish procedures allowing
5 remote participation of members of their advisory boards and working groups, by means of video
6 conferencing, as long as the following conditions are met:

7 (1) The city or town council makes a determination that it would be beneficial to the
8 affected board or working group.

9 (2) It may be utilized twice in a calendar year if the chairperson or acting chairperson
10 determines that one or more of the following factors make the member's physical attendance
11 unreasonably difficult:

12 (i) Personal illness;

13 (ii) Emergency; or

14 (iii) Geographic distance.

15 (b) The advisory board or working group must have a quorum of members physically
16 present at the time the meeting convenes at the appointed time and place and remain for the
17 duration of the meeting.

18 (c) Any member of an advisory board or working group who wishes to participate
19 remotely shall, as soon as reasonably possible prior to a meeting, notify the chairperson or acting

1 chairperson of his or her desire to do so and the reason for and facts supporting his or her request.

2 (d) At the start of the meeting, the chairperson or acting chairperson shall announce the
3 name of any member who will be participating remotely and the reason for his or her remote
4 participating. This information shall be recorded in the meeting minutes.

5 (e) When feasible, the chairperson, or acting chairperson shall distribute to remote
6 participants in advance of the meeting, copies of any documents or exhibits that he or she
7 reasonably anticipates that he or she reasonably will be used during the meeting. If used during
8 the meeting, such documents shall be part of the official record of the advisory board's meeting
9 and shall be listed in the meeting minutes and retained with the minutes of said meeting.

10 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 create an exception to the open meeting's law to allow members of
2 municipality's advisory boards or working groups to remotely participate in their meetings
3 through video conferencing, under limited circumstances.

4 This act would take effect upon passage.

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