

**2026 -- S 2319**

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LC004391

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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**

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**A N   A C T**

**RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS**

Introduced By: Senators de la Cruz, Pearson, Zurier, Thompson, Quezada, Paolino, and Rogers

Date Introduced: January 23, 2026

Referred To: Senate Labor & Gaming

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, except for meetings subject to subsection (e) of this section  
16        which shall be open.

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

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

1        criminal.

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

5            (6) Any discussions related to or concerning a prospective business or industry locating in  
6        the state of Rhode Island when an open meeting would have a detrimental effect on the interest of  
7        the public.

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

11           (8) Any executive sessions of a local school committee exclusively for the purposes: (i) Of  
12        conducting student disciplinary hearings; or (ii) Of reviewing other matters that relate to the privacy  
13        of students and their records, including all hearings of the various juvenile hearing boards of any  
14        municipality; provided, however, that any affected student shall have been notified in advance in  
15        writing and advised that 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.

32           (3) Provided, further however, that a member of that public body, who has a disability as  
33        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).

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

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

34 (e) Notwithstanding the exemption to open meetings in subsection (a)(2) of this section

1     relating to collective bargaining, meetings concerning collective bargaining for public school  
2     teachers shall be open to the public and the provisions of this subsection shall apply to all public  
3     school districts and school committees.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

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- 1        This act would provide that public meetings involving collective bargaining agreements of
- 2        school teachers shall be open to the public.
- 3        This act would take effect upon passage.

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