

PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., *Chair*

JOHN W. PARSONS, ESQ., *Executive Director*

Auditor DIANA DIZOGLIO | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES J. GUIDO | RICHARD MACKINNON, JR. | JENNIFER F. SULLIVAN, ESQ.

MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director

RE: Extension of Open Meeting Law Waivers

DATE: April 3, 2023

As explained in an email sent to all retirement boards on March 24, 2023, the Open Meeting Law Waivers were set to expire on March 31, 2023. The Legislature and the Governor have now acted to extend these waivers until March 31, 2025.

With the passage of Chapter 2 of the Acts of 2023 on March 29, 2023, retirement boards may continue to hold meetings without a physical quorum or the chair physically present, until March 31, 2025, provided that certain conditions are met.

Since the start of the State of Emergency in March of 2020, and as explained in PERAC Memorandum No. 17 of 2021, these waivers have permitted public bodies to conduct public meetings without a physical quorum or the chair being physically present if remote participation is utilized, and the public has adequate, alternative means of public access.

If a meeting is held in a public place that is open and physically accessible to the public, the adequate, alternative means of public participation are not required by statute but are encouraged.

If a public body decides to meet in person and does not provide for alternative means of public access, then the public body must have a physical quorum present.

If you have any questions about this, please contact General Counsel Judith Corrigan at (617) 591-8904 or at judith.a.corrigan@mass.gov.

