

# PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

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## MEMORANDUM

TO: All Retirement Boards

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

RE: Extension of Open Meeting Law Waivers

DATE: July 20, 2022

On July 12, 2022, PERAC issued Memorandum No. 18 of 2022, advising the retirement boards on the then-imminent expiration of the Open Meeting Law waivers. The Legislature and the Governor have now acted to extend these waivers.

As we explained in our previous memorandum, the waivers had been scheduled to expire on July 15, 2022. With the passage of Section 4 of Chapter 107 of the Acts of 2022 on July 16, the Open Meeting Law waivers have been extended to March 31, 2023. Therefore, until March 31, 2023, retirement boards may continue to hold meetings without a physical quorum or the chair physically present, 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, the 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](mailto:Judith.a.corrigan@mass.gov).

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