

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: March 7, 2022

With the passage of Sections 3, 4, and 5 of Chapter 22 of the Acts of 2022, the Open Meeting Law waivers have been extended to July 15, 2022. The waivers had been scheduled to expire on April 1, 2022 per Section 20 of Chapter 20 of the Acts of 2021. Therefore, until July 15, 2022, 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 jacorrigan@per.state.ma.us.

