



TOP 10 CHANGES IN THE NEW OPEN MEETING LAW

1. New requirements for all persons serving on “public bodies” to receive Attorney General’s version of Open Meeting Law, regulations and educational materials; Town or City Clerk or designee shall maintain written certifications of receipt.
2. 48 hour notice – still required, but now cannot count Saturdays, Sundays or holidays. Example: Monday night meeting must be posted before Thursday night.
3. Notices must (1) include list of topics chair reasonably anticipates will be discussed, i.e., agenda, and (2) be posted in or on municipal building to be visible to public at all hours.
4. Emails are expressly included in definition of “deliberation,” which is prohibited outside of open session; but distribution of agendas, scheduling information or reports to be discussed at next meeting is permitted.
5. Attendance by a quorum at a location is not a “meeting” if not intended to conduct business and no deliberation occurs – for example, attending a conference, social event, or a meeting of another municipal board.
6. Minutes must contain more detailed information; in addition to “date, place, time and matters discussed,” shall include summaries of matters discussed, list of documents used, all decisions made/votes taken.
7. Documents and other exhibits, such as photographs, recordings or maps, used by the body at an open or executive session shall, along with the minutes, be part of the official record of the session.
8. Chairs required to periodically review executive session minutes and determine if they should be released, or if purpose for executive session is still ongoing to keep minutes confidential.
9. Attorney General will assume all interpretation and enforcement authority over Open Meeting Law, District Attorneys no longer involved. Attorney General has broader enforcement authority.
10. Citizens making complaints of OML violations must file written complaint with the governmental body first; body submits reply to complainant and Attorney General’s office.

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