

CHAPTER 11

AN ACT concerning the conduct of public meetings during periods of emergency and supplementing P.L.1975, c.231 (C.10:4-6 et seq.).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.10:4-9.3 Conduct of public meetings during periods of emergency.

1. a. Notwithstanding any other provision of law, rule, or regulation to the contrary, during a period declared pursuant to the laws of this State as a state of emergency, public health emergency, or state of local disaster emergency, a public body shall be permitted to perform any of the following by means of communication or other electronic equipment:

- (1) conduct a meeting and any public business to be conducted thereat,
- (2) cause a meeting to be open to the public,
- (3) vote, or
- (4) receive public comment.

A public body shall not be deemed to have violated any provision of P.L.1975, c.231 (C.10:4-6 et seq.) in performing such functions by means of communication or other electronic equipment as provided in this subsection.

b. Notwithstanding any other provision of law, rule, or regulation to the contrary, during such periods of emergency, a public body may elect to provide electronic notice pursuant to section 1 of P.L.2002, c.91 (C.10:4-9.1) in lieu of the adequate notice required under P.L.1975, c.231 (C.10:4-6 et seq.), and shall not be deemed to have violated any provision of law thereunder in providing such electronic notice. To the extent practicable, a public body providing only electronic notice of a meeting pursuant to this subsection shall limit public business discussed or effectuated thereat to matters necessary for the continuing operation of government and which relate to the applicable emergency declaration.

c. This section shall not be construed to limit any authorization under law to perform the functions as specified herein irrespective of any emergency.

d. The Department of Community Affairs, and, with regard to any board of education, the State Board of Education, may adopt rules and regulations to effectuate the purposes of this act, P.L.2020, c.11 (C.10:4-9.3). The rules and regulations established pursuant to this section shall be effective immediately upon filing with the Office of Administrative Law for a period not to exceed 18 months, and may, thereafter, be amended, adopted or readopted in accordance with the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

2. This act shall take effect immediately.

Approved March 20, 2020.