



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5928/2
EVM:cdc&ahe

2019 SENATE BILL 914

March 26, 2020 - Introduced by Senator JACQUE, cosponsored by Representative WICHGERS, by request of Wisconsin Towns Association, Wisconsin Counties Association, League of Wisconsin Municipalities and the Wisconsin Association of School Boards. Referred to Committee on Local Government, Small Business, Tourism and Workforce Development.

1 **AN ACT to amend** 323.52 (title); and **to create** 323.52 (3) of the statutes; **relating**
2 **to:** meetings of governing bodies of local governmental units during a state of
3 emergency.

Analysis by the Legislative Reference Bureau

This bill specifies that, during a state of emergency, the governing body of a local governmental unit may meet using any means of communication that allows identification of its members, participation by its members, and, to the extent feasible, monitoring by the public. The bill also provides that, if the governing body does not have access to technology allowing the public to monitor the proceedings contemporaneously, the publication of the minutes of the meeting in a newspaper likely to give notice to the area affected serves in lieu of open public access to the meeting.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 323.52 (title) of the statutes is amended to read:
5 **323.52** (title) ~~Temporary locations of government for~~ **Emergency**
6 **operation of local units of government.**

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1 **SECTION 2.** 323.52 (3) of the statutes is created to read:

2 323.52 (3) VIRTUAL MEETINGS. (a) In this section:

3 1. "Governing body" means a town board, a village board of trustees, a city
4 council, a county board, a school board, or an elected town sanitary district
5 commission.

6 2. "Local governmental unit" means a city, village, town, county, school district,
7 or town sanitary district.

8 3. "Member" means a member of the governing body of a local governmental
9 unit.

10 (b) 1. Notwithstanding subs. (1) and (2) and ss. 59.11, 60.20, 61.32, 62.11 (3),
11 119.10, 120.11, and 120.43, during a state of emergency declared under s. 323.10 or
12 323.11, a governing body may meet through the use of any means of communication
13 by which all of the following occur:

14 a. The identity of each participating member may be verified, and the actions
15 of each participating member may be authenticated, in a manner satisfactory to the
16 presiding officer.

17 b. During the meeting, all participating members may simultaneously hear or
18 read the comments of each participating member who is recognized by the presiding
19 officer.

20 c. If the governing body has reasonable access to technology allowing the public
21 to monitor the proceedings contemporaneously, the public may monitor the
22 proceedings of the governing body.

23 2. For purposes of determining the presence of a quorum in meetings held
24 under this subsection, any participating member shall be considered present as if the
25 member were physically present at the meeting.

