The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act further regulating town meeting notices.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 39 of the General Laws is hereby amended by inserting after section 10 the following section:

Section 10A. (a) Whenever the moderator determines that voters, or in a town having a representative town meeting form of government, the town meeting members, may be unable to attend a town meeting, called pursuant to a warrant issued under section 10, because of a weather-related or public safety emergency, the moderator shall consult with local public safety officials and members of the board of selectmen and then, upon the moderator’s own declaration, the moderator shall recess and continue the town meeting to a time, date and place certain. A discussion to recess and continue a town meeting under this section shall not constitute a “deliberation”, as defined by section 18 of chapter 30A, if the only subject of that discussion is the recess and continuance. If due to the emergency, a new meeting place may be required but cannot be then identified, the moderator may recess and continue the town meeting and the board of selectmen shall within 3 days of the declaration of recess and continuance select a meeting place and the moderator shall declare the meeting location. If due to the emergency no suitable town facility is available for a meeting place in a town that typically holds such meetings within the town limits, the board of selectmen may move the meeting location to a suitable meeting place in a contiguous municipality.

The moderator need not appear at the place of the town meeting to announce a declaration of recess and continuance. The moderator shall announce the declaration of recess and continuance as far in advance of the town meeting being continued as is practicable.

(b) A notice of the declaration of recess and continuance shall be prepared by the moderator and printed in a legible, easily understandable format and shall contain the date, time
and place of the continued meeting, state the reason for the declaration and identify the date and
time that the moderator announced the recess and continuance. If the moderator does not
identify the location of the continued meeting in the notice, within 3 days of the announcement
of the declaration of recess and continuance the moderator shall issue an amended notice which
identifies the meeting place. Notice shall be filed with the municipal clerk as soon as practicable
and then posted in a manner conspicuously visible to the public at all hours in or on the
municipal building in which the clerk’s office is located. As soon as practicable, the notice of
declaration of recess and continuance and the amended notice shall be directed to the constables
or to some other persons, who shall post the notice in the manner otherwise prescribed by
general law, charter or by-laws for the posting of notice of town meetings. One copy of the
notice of declaration of recess and continuance or the amended notice shall be posted at the main
entrance of the place of the town meeting as soon as is practicable. In addition, the moderator
may use any electronic, broadcast or print media convenient to circulate the notice of recess and
continuance and any amended notice. Those towns that have a municipal website shall post a
copy of the notice of declaration of recess and continuance or amended notice on the town’s
municipal website as soon as practicable. Towns having a representative town meeting form of
government may by by-law establish additional requirements for providing notice to
representative town meeting members.

(c) The town meeting session recessed by the declaration of recess and continuance shall
be convened by the moderator not later than 30 days following the date and time of the
moderator's original announcement of the declaration of recess and continuance.