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Agenda Item

Open Meeting Law Update

Meeting Date

July 8, 2025

Prepared By

Leaha M. Jackson, City Administrator

Background

The legislature passed a law this session, changing the open meeting law regarding remote meeting attendance. Effective July 1st, members are allowed to attend meetings via interactive technology from any location, without disclosing their location and with no limit to the number of times.

The only requirement is that a notice be posted of “the fact that members may participate in the meeting by interactive technology.” The time requirement for posting notice has not changed and is the same as for a special meeting.

One way to meet the notice requirement and provide the most flexibility to members would be to include the following language on the agenda: “One or more members of the Hinckley City Council may participate in the meeting via interactive technology as permitted by Minnesota Statutes §13D.02”.

Alternatively, the council could require its members to provide notice if they were going to participate remotely and only include the notice on meeting agendas when it was known that a councilmember was planning to participate remotely.

The text showing the law changes is attached.

Recommended Action

Discuss the changes to the open meeting law.

Council Action: **Motion by:** _____ **Second by:** _____

Motion to:

Voted in Favor: _____ Voted Against: _____

Approved: _____ Denied: _____ Tabled: _____ No Action: _____

Minnesota Statutes 2024, section 13D.02, subdivision 1, is amended to read:

Subdivision 1. **Conditions.** ~~(a)~~ A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive technology so long as:

- (1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;
- (2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;
- (3) at least one member of the body is physically present at the regular meeting location; and
- (4) all votes are conducted by roll call so each member's vote on each issue can be identified and recorded; ~~and.~~

~~(5) each location at which a member of the body is present is open and accessible to the public.~~

~~(b) A meeting satisfies the requirements of paragraph (a), although a member of the public body participates from a location that is not open or accessible to the public, if the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public, and:~~

- ~~(1) the member is serving in the military and is at a required drill, deployed, or on active duty; or~~
- ~~(2) the member has been advised by a health care professional against being in a public place for personal or family medical reasons.~~

Minnesota Statutes 2024, section 13D.02, subdivision 4, is amended to read:

Subd. 4. **Notice of regular and all member meeting locations.** If interactive technology is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location and ~~notice of any location where a member of the public body will be participating~~ the fact that members may participate in the meeting by interactive technology, ~~except for the locations of members participating pursuant to subdivision 1, paragraph (b).~~ The timing and method of providing notice of the regular meeting location must be as described in section 13D.04.