



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-5928/1  
EVM:cdc

**2019 BILL**

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 political subdivisions 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 political subdivision 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 the political subdivision's official newspaper 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.**

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

**BILL****SECTION 2**

1           323.52 (3) VIRTUAL MEETINGS. (a) In this section:

2           1. "Governing body" means a town board, a village board of trustees, a city  
3 council, or a county board.

4           2. "Member" means a member of the governing body of a political subdivision.

5           3. "Political subdivision" means a city, village, town, or county.

6           (b) 1. Notwithstanding subs. (1) and (2) and ss. 59.11, 60.20, 61.32, and 62.11  
7 (3), during a state of emergency declared under s. 323.10 or 323.11, a governing body  
8 may meet through the use of any means of communication by which all of the  
9 following occur:

10           a. The identity of each participating member may be verified, and the actions  
11 of each participating member may be authenticated, in a manner satisfactory to the  
12 presiding officer.

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

15           c. If the governing body has reasonable access to technology allowing the public  
16 to monitor the proceedings contemporaneously, the public may monitor the  
17 proceedings of the governing body.

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

21           3. A meeting held under this subsection shall be preceded by the same or  
22 substantially equivalent public notice as would be required if the governing body  
23 were physically present.

24           4. Notwithstanding s. 19.83, if the governing body does not have reasonable  
25 access to technology allowing the public to monitor the proceedings

**BILL**

1 contemporaneously, the publication of the minutes of the meeting in the political  
2 subdivision's official newspaper may serve in lieu of open public access to a meeting  
3 under this subsection.

4 (END)