

The original Massachusetts Open Meeting Law of 1958

as applied to cities and towns

Acts of 1958, Chapter 626

[<http://archives.lib.state.ma.us/actsResolves/1958/1958acts0626.pdf>]

An act providing that certain meetings of certain public boards and commissions shall be open to the public. Approved October 7, 1958

.....

Section 4.

Chapter 39 of the General Laws is hereby amended by inserting after section 23, as amended by section 3 of chapter 39 of the acts of 1934, the following two sections:

Section 23A. All meetings of every district, city and town board and school committee, and the meetings of every local housing authority, shall be open to the public and to the press unless such board, commission or school committee shall vote to go into executive session.

Such executive session may be held only for the purpose of discussing, deliberating or voting on those matters which by general or special stature, or federal grant-in-aid requirements, cannot be made public, and those matters which if made public might adversely affect the public security, the financial interest of the district, city, town or local housing authority, or the reputation of any person.

Except in an emergency, no meeting of any district, city and town board or school committee, and no meeting of any local housing authority, shall be held unless a notice of such meeting has been filed at least twenty-four hours prior to such meeting with the clerk of such district, city or town, or, in the case of a local housing authority, with the clerk of the city or town wherein such local housing authority has been appointed.

Upon receipt of such notice by any such clerk, he shall immediately cause the same or a copy thereof to be posted publicly in his office or on the principal official bulletin board of the district, city or town. For the purpose of this section, "emergency" shall mean a situation where immediate, undelayed action is deemed to be imperative.

Every district, city or town board, commission and school committee and the governing board of every local housing authority shall maintain accurate records of their meetings, setting forth the action taken at each meeting, including executive sessions. A summary of all matters votes shall be made available with reasonable promptness after each meeting; provided, however, that votes taken in executive session may remain secret so long as their publication would defeat the lawful purposes of the executive session, but no longer.

This section shall apply to every city council and board of alderman, however styled.

Section 23B. No person shall address a public meeting of a town board, commission or school committee without leave of the presiding officer at such meeting, and all persons shall, at the request of such presiding officer, be silent. If, after warning from the presiding officer, a person persists in disorderly behavior, said officer may order a constable or any other person to remove him and confine him in some convenient place until the meeting is adjourned.

.....

Section 10.

Chapter 66 of the General Laws is hereby amended by inserting after section 5 the following section:

Section 5A. The records required to be kept by sections 11A of chapter 30A, 9F of chapter 34 and 23A of chapter 39 shall record exactly the votes and other official actions taken by such boards and commissions, but unless otherwise required by the governor in the case of state boards, commissions and districts, or by the county commissioners in the case of county boards and commissions, or by the governing body thereof in the case of a district, or by ordinance or by-law of the city or town in case of municipal boards, commissions and school committees, such records need not include a verbatim record of discussions at such meetings.

.....

Section 11.

Upon the effective date of this act, the provisions of all special acts which are inconsistent with the provisions of this act shall, only to the extent that they conflict with this act, become null and void.