

The following is the summary of **H.4617, *An Act to address challenges faced by municipalities and state authorities resulting from COVID-19.***

This is the latest iteration of H.4598. It has had several numbers assigned since then (S.2612, H.4612, and S.2622), but has remained substantially the same. Most of the disagreement between the two branches revolved around the process of notarization of remote meeting notes and decisions.

The legislation calls for various changes to municipal operations, tax collections, the sale of alcoholic beverages, permitting, corporate governance, and the hiring of public retirees during the COVID-19 state of emergency. It includes an emergency preamble, allowing for it to take immediate effect upon passage and being signed into law by the Governor.

Municipal Operations

- Grants municipalities greater flexibility to conduct business during the ongoing public health emergency
- Allows town meetings to be postponed for 30 days, including past a statutory cut-off of June 30
- Allows the calling of a recess and continuation of a town meeting during any weather-related, public safety, or public health emergency, and for up to five days after its termination
- Repeals language requiring resumption of a recessed meeting within 30 days
- Authorizes use of at least half of the monthly appropriation from the most recent budget for each month in which an emergency prevents adoption of a subsequent annual budget
- Authorizes use of a municipality's "free cash" during the COVID-19 state of emergency
- Authorizes and regulates amortization of deficit amounts incurred due to the COVID-19 state of emergency
- Prohibits municipalities from terminating essential services such as water, trash collection, or electricity for nonpayment of taxes or fees provided there is a demonstrated hardship
- Amends provisions related to the billing and collection of local taxes, including real estate taxes during the COVID-19 state of emergency
- Extends the deadline for filing of income tax returns and submission of payments until July 15, 2020

Alcoholic Beverages:

- Authorizes entities otherwise licensed to sell alcoholic beverages to be drunk on the premises to sell them for off premise consumption, in their original, sealed containers, with existing transactions for the sale of food.

State and Municipal Retirees

- Authorizes retired employees to return to work under certain conditions in 2020 without regard to limits on compensation and hours.

Remote or Virtual meetings:

- Amends various provisions related to corporate governance during the COVID-19 state of emergency, and for 60 days after its expiration
- Authorizes corporations to conduct annual or special meetings of the shareholders solely through the use of remote communications
- Amends provisions related to meeting notice, meeting cancellation, service of directors, participation of directors and shareholders in meetings, and voting

Local Permitting Provisions.

- Defines applications for permits as duly filed and accepted as of the date of the filing if filed with and certified as received by the municipality
- Allows permit granting authorities to deny an applications completeness if otherwise denied or appealed on other grounds
- Allows submission of permit applications and sending of permit application receipts electronically
- Suspends any hearing deadlines otherwise required within a certain timeframe after receipt of an application as of March 10
- Provides for resumption of the deadlines 45 days after the termination of the COVID-19 state of emergency
- Prohibits expiration of any permits or and tolls deadlines for performance until after the termination of the COVID-19 state of emergency
- Prohibits the constructive granting, denial or expiration of a permit due to a failure to act during the COVID-19 state of emergency
- Requires resumption of activity within 45 days of the termination of the COVID-19 state of emergency; extends requirements for recording of permits with the registries of deeds
- Tolls and continues hearings for opened permits to the first hearing date after expiration of the COVID-19 state of emergency.
- Authorizes permit granting authorities to revoke or modify permits as otherwise allowed under existing laws or regulations for reasons other than lack of performance during the COVID-19 state of emergency when the work started before March 10, 2020 and stopped due to the state of emergency or other governmental actions
- Extends protection from permit revocation or modification for at least 60 days beyond the termination of the state of emergency
- Entitles a permit holder to further extensions for demonstrated good cause
- Allows the permit granting authority to issue an extension without the presence of a quorum

- Allows permit granting authorities to hold meetings and hearings remotely during the COVID-19 state of emergency
- Allows permit granting authorities to issue decisions on permit applications submitted and heard
- Allows building commissioners, inspectors of buildings, or other officials to issue permits
- Applies changes related to local permitting authority to all local boards and commissions' conduct of public meetings, public hearings, or other actions taken in a quasi-judicial capacity