



Office of the  
Attorney General

# Open Government

## A quick guide to the Executive Order impacting public meetings and public records requests

Now, more than ever, Rhode Islanders need to have trust and confidence in their state and local government. We encourage public bodies and agencies to continue to operate as openly and transparently as possible.

On March 16, 2020, Governor Raimondo issued an [executive order](#) that modifies certain provisions of the Open Meetings Act ("OMA") and Access to Public Records Act ("APRA") through April 15, as part of the State's emergency response to COVID-19.

The following is intended to serve as a quick guide to the [OMA](#) and [APRA](#) modifications contained in the Order.

### OMA: What has changed?

Public bodies **may now conduct meetings by telephone or audio or video conferencing**, provided that the public body is meeting for essential purposes and ensures public access to the meeting through adequate, alternative means.

- **Essential purpose:** The meeting is necessary for either continued government operations or to meet deadlines set by law or regulation.
- **Adequate alternative means of public access:** Measures that provide transparency and permit timely and effective public access to the deliberations of a public body. Examples include conferencing via telephone, video, or audio, enabling the public to clearly follow the proceedings of a public body in real time.
- If a state or local law requires real-time participation by members of the public, any alternative means must provide for participation.
- Any public body that conducts its proceedings under this executive order must ensure that any party required to appear before it be able to do so remotely.
- A public body that is unable to provide adequate alternative means of public access, because of economic hardship or despite best efforts, may instead post a complete transcript, recording, or comprehensive record of the public meeting on its website as soon as is practicable. Given the wide availability of low-cost technology options, it should be extremely rare that a public body is unable to provide adequate alternative means of public access.
- Any adequate alternative means of public access must be provided for free.
- [All other provisions under the OMA remain unchanged.](#)





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## APRA: What has changed?

- Agencies or public bodies may extend the timeline for responding to requests by **an additional 20 business days** if the agency or public body **notifies the requestor in writing** that the extension is necessary for **reasons related to the COVID-19 emergency**. This extension is in addition to the 20-business-day extension already permitted by statute.
- Agencies or public bodies may produce **public records in electronic format**, instead of being required to produce records “in any and all media” in which they are capable of being provided or accommodating in-person public inspection.
- The deadline for agencies or public bodies to respond to **administrative appeals** may be **extended by an additional 10 business days** if for reasons related to the COVID-19 emergency. The requestor must be **notified in writing** within the regular 10-business-day timeframe.
- All other provisions under the APRA remain unchanged.

## Questions & Guidance

If you have questions, our open government team is available to provide guidance on these statutes.

Email [opengovernment@riag.ri.gov](mailto:opengovernment@riag.ri.gov) or call 401-274-4400.



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