**RESOLUTION NO.\_\_\_\_\_\_\_**

**RESOLUTION AUTHORIZING ELECTRONIC PARTICIPATION IN MEETINGS UNDER CERTAIN CIRCUMSTANCES AND ESTABLISHING A POLICY FOR CONDUCTING MEETINGS BY ELECTRONIC MEANS.**

**WHEREAS**, Public Chapter 411, Acts of 2025, was passed by the Tennessee General Assembly during the 2025 legislative session and signed by Governor Lee on May 9, 2025; and

**WHEREAS**, the county legislative body of \_\_\_\_\_\_\_\_\_\_\_\_\_, County wishes to opt in to Tennessee Code Annotated, Section 5-5-106(b), to allow electronic participation in meetings under specified circumstances and to create a policy governing the conducting of such meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the county legislative body of \_\_\_\_\_\_\_\_\_\_\_\_County, Tennessee (“governing body”) that:

**SECTION 1. Participation in Electronic Meetings by Officials.**  The governing body, pursuant to Tennessee Code Annotated § 5-5-106(b), hereby adopts the authority for its members to participate in meetings by electronic means under certain circumstances by a two-thirds (2/3) majority vote. Members of the governing body may participate in a scheduled meeting by electronic means, including, but not limited to, videoconferencing or other web-based media, but only for the following reasons:

1. The member of the governing body is dealing with a family or medical emergency as determined by the governing body [CHOOSE ONE OPTION TO INCLUDE AT THE END OF THIS SUBSECTION: **OPTION ONE**: Such determination will be made on a case-by-case basis at the start of the meeting at which the member is requesting to participate electronically. **OPTION TWO**: For purposes of this resolution, the terms “family emergency” and “medical emergency” are defined as: FILL IN YOUR DEFINTIONS];
2. The member of the governing body has been called into military service; or
3. The member of the governing body is unable to attend a meeting due to inclement weather.

**SECTION 2. Member Requirements to Participate Electronically.** Any member who is absent shall only participate in a meeting through electronic means if the member meets the following requirements:

1. The member must be visually identified by the chair, or in their absence, the chair pro tempore or other chairman of the meeting, as required by Tennessee Code Annotated § 5-5-106(b)(2).
2. The member shall notify the chair of the member’s intent to participate electronically as soon as practicable. The member shall state in the notice to the chair that the member has a family emergency, medical emergency, military service, and/or inclement weather condition qualifying the member for electronic participation.
3. The member shall have the ability to log into the virtual meeting platform using their own computer equipment. In order to speak, the member shall use their computer’s microphone, a headset, or phone for sound.
4. The member shall keep their microphones muted unless they are actively speaking.
5. During the calling of the roll, the member shall unmute their microphone and announce their name as an electronic participant. The county clerk shall record this person as present for voting purposes, but not for quorum purposes.
6. The member shall identify themselves each time prior to speaking.

**SECTION 3. In-person Quorum.** The governing body shall not conduct a meeting that includes electronic participation unless a quorum of the governing body is present at the physical location of the meeting. No more than twenty percent (20%) of the total membership of the governing body, not to exceed three (3) members, may participate electronically in each meeting.

**SECTION 4. Annual Limitation.** A member of the governing body shall not participate electronically in meetings more than two (2) times per year.

**SECTION 5. Public Access.** (1) All meetings of the governing body conducted by electronic means under this section must remain open and accessible to the public by providing real-time, live audio or video access to the public.

(2) A clear audio or video recording of the meeting shall be made available to the public as soon as practicable following the meeting, and in no event more than two (2) business days after the meeting.

**SECTION 6. Public Notice.** In the public notice required by the Tennessee Code Annotated § 8-44-103, the governing body shall provide information regarding how the public can obtain real-time, live access to, or a broadcast of, the meeting, and the governing body shall provide an agenda for the meeting in such notice.

**SECTION 7. Staff Facilitation of Electronic Access.** The chair, or their designee, shall facilitate the implementation of electronic access for the member by setting up appropriate equipment and providing electronic access instructions to the member no later than one (1) hour prior to the meeting, if possible, under the circumstances. In setting up and facilitating electronic access, all features allowing for live chat must be disabled.

**SECTION 8.** **Effective Date.** This resolution shall be effective upon passage by a two-thirds (2/3) majority vote of the governing body of \_\_\_\_\_\_\_\_\_\_ County, the public welfare requiring it.

Adopted this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

APPROVED: ATTEST:

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County Mayor County Clerk