



TAUD COVID-19 UPDATE: Electronic Participation in Utility Board Meetings Not Renewed by Governor Lee

April 28, 2021

Members of governing boards of utilities have been able to participate in board meetings electronically because of the COVID-19 pandemic under Executive Orders issued by Governor Bill Lee which have suspended certain provisions of the Tennessee Open Meetings Act (the Act). In Executive Order No. 78, Governor Lee extended this authorization to participate in board meetings electronically through April 28, 2021. Governor Lee has decided not to extend this authorization for board members of local governments to participate in board meetings electronically.

Therefore, members of the governing boards of utilities no longer have the authority to participate in board meetings electronically as of April 29, 2021.

It's back to business as usual. All provisions of the Tennessee Open Meetings Act are now in force again. The Act does not allow the board members of local governments (with a couple of minor exceptions) to participate in board meetings by conference call or other electronic means. While bills were introduced in the legislature to allow utility boards to continue to participate in board meetings electronically under certain conditions, none of these bills seem likely to pass.

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