



EXECUTIVE ORDER 7S, PARAGRAPH 7: IMPACT ON MUNICIPAL FINANCING

On April 1, 2020, Governor Lamont signed Executive Order No. 7S. In addition to a number of other directives, paragraph 7 of the order allows Connecticut municipalities to suspend in-person voting requirements for critical and time sensitive municipal fiscal deadlines. The entire Executive Order 7S is available [here](#).

Paragraph 7 permits Connecticut municipalities to suspend the requirement of in-person voting whether at annual or special town meetings or by referenda in order to approve (i) supplemental or special appropriations, (ii) the issuance of tax anticipation notes (TANs), or (iii) the issuance of general obligation bonds or bond anticipation notes (BANs) for capital improvement purposes.

Municipal action will require the approval of the legislative body of a municipality, or in a municipality where the legislative body is a town meeting, the board of selectmen, and the budget-making authority of the municipality if different from the legislative body or board of selectmen. In case of any action under (ii) or (iii) above, or any action under (i) above which involves an appropriation in excess of one percent (1%) of the current year's total municipal budget, such municipal body or bodies must make specific findings that such actions are "necessary to permit the orderly operation of the municipality" and that there is a need to act "immediately and during the duration of the public health and civil preparedness emergency in order to avoid endangering public health and welfare, prevent significant financial loss, or that action is otherwise necessary for the protection of persons and property within the municipality."

Such bodies must still comply with the open meeting requirements set forth in the Governor's Executive Order No. 7B and any conditions precedent to such approval, including the need for public notices, hearings or presentations, to the extent possible.

Municipalities are not prohibited from conducting any in-person meeting, approval process or referendum, provided such municipality first consults with local or state public health officials and significantly reduces the risk of transmission of COVID-19 in conducting any such meeting, approval process or referendum.

For further information on the implications of COVID-19 on municipal law and financing, or other municipal law and financing related questions, please contact Michael P. Botelho at (860) 918-1440 or mbotelho@uks.com, or Jennifer M. Egan at (860) 548-2628 or jegan@uks.com.

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