

ENROLLED BILL

-- Health and Government Operations/Education, Health, and Environmental Affairs --

Introduced by **Delegates Smigiel, Costa, Dwyer, Kach, McComas,
Nathan-Pulliam, and Sossi**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Open Meetings Act - Executive Function - Study**

3 FOR the purpose of requiring the State Open Meetings Law Compliance Board to
4 undertake a certain study and issue a certain report on or before a certain date
5 relating to the executive function under the Open Meetings Act.

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That:

8 (a) The State Open Meetings Law Compliance Board shall study the use of the
9 executive function exclusion under the Open Meetings Act.

10 (b) As part of its study, the Compliance Board shall:

11 (1) consider the reliance on the executive function exclusion and the
12 inappropriate use of the executive function, as reflected in the opinions of the
13 Compliance Board;

1 (2) consult with the Maryland Association of Counties, the Maryland
2 Municipal League, the Maryland-Delaware-DC Press Association, and any other
3 organization that the Compliance Board deems appropriate in connection with use of
4 the executive function;

5 (3) consider the benefits of retaining or ~~eliminating~~ *restricting* the
6 executive function exclusion under the Open Meetings Act and any alternatives that
7 the Compliance Board considers appropriate; and

8 (4) develop any recommendations that the Compliance Board considers
9 appropriate for modification of the Open Meetings Act in connection with the
10 executive function.

11 (c) (1) On or before December 1, 2005, the Compliance Board shall report to
12 the House Health and Government Operations Committee and the Senate Education,
13 Health, and Environmental Affairs Committee on the results of its study.

14 (2) The report ~~shall~~ *may* include proposed legislation that might be
15 recommended by the Compliance Board as a result of its study.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2005.