
By: **Delegates Smigiel, Costa, Dwyer, Kach, McComas, Nathan-Pulliam, and Sossi**

Introduced and read first time: January 26, 2005
Assigned to: Health and Government Operations

A BILL ENTITLED

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;

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

18 (3) consider the benefits of retaining or eliminating the executive
19 function exclusion under the Open Meetings Act and any alternatives that the
20 Compliance Board considers appropriate; and

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

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

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

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