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

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Assigned to: Health and Government Operations

Committee Report: Favorable
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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;

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

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

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

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

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