

**Department of Legislative Services**  
Maryland General Assembly  
2014 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 847

(Senator Kittleman, *et al.*)

Education, Health, and Environmental Affairs

Health and Government Operations

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**Joint Committee on Transparency and Open Government - Study on Requiring  
Public Bodies to Provide Agendas Under the Open Meetings Act**

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This bill requires the Joint Committee on Transparency and Open Government to conduct a study on the circumstances, if any, under which a public body should be required to provide agendas to the public in advance of a meeting. The study is required to take into consideration input from specified entities, in addition to any other factors the committee determines are relevant. By January 1, 2015, the committee must report its findings and any recommended legislation to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee.

The bill takes effect July 1, 2014, and terminates June 30, 2015.

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**Fiscal Summary**

**State Effect:** The required study can be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

### **Current Law:**

#### *Joint Committee on Transparency and Open Government*

Chapter 509 of 2011 established the Joint Committee on Transparency and Open Government within the General Assembly to provide continuing legislative oversight regarding transparency and open government and to recommend initiatives that increase citizen access to government resources, publications, and actions. The Department of Legislative Services staffs the joint committee.

#### *Open Meetings Act*

Under Maryland's Open Meetings Act, with limited exceptions, a "public body" must (1) provide adequate notice of the time and location of meetings and (2) meet in open session in a location that is reasonably accessible to attendees. A public body is any entity that (1) consists of at least two individuals and (2) is created by the Maryland Constitution; a State statute; a county or municipal charter; a memorandum of understanding or a master agreement to which a majority of the local boards of education and the Maryland State Department of Education are signatories; an ordinance; a rule, resolution, or bylaw; or an executive order of the Governor or of the chief executive authority of a political subdivision. Exclusions from the definition of "public body" include juries, the Governor's cabinet and Executive Council, and single-member entities.

Before meeting in open or closed session, a public body must provide reasonable advance notice of the session. Whenever reasonable, the advance notice must be in writing; include the date, time, and place of the session; and if appropriate, include a statement that a part or all of a meeting may be conducted in closed session. This notice may be made by publication in the Maryland Register, delivery to members of the news media, by posting notice at a convenient public location near the place of the session, on a website ordinarily used by the body, or by other reasonable means. The body may only give notice by posting in a public place or on a website if it had previously given public notice that this method would be used.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 157 (Delegate Krebs, *et al.*) - Health and Government Operations.

**Information Source(s):** Department of Legislative Services

**Fiscal Note History:** First Reader - February 12, 2014  
mc/hlb Revised - Senate Third Reader - April 5, 2014

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