

Department of Legislative Services
 Maryland General Assembly
 2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 308 (Delegates Grammer and Metzgar)
 Rules and Executive Nominations

Department of Legislative Services - Office of Information Systems - Video and Audio Recordings

This bill requires that the Department of Legislative Services (DLS) make available to the public video recordings of each meeting of a House of Delegates or State Senate standing committee. It also requires that DLS make available an audio recording of each floor session of the State Senate and House of Delegates. The recordings must be free of charge, in a commonly used format for downloading, and to the extent practicable, be made available on the General Assembly website within 12 hours.

Fiscal Summary

State Effect: General fund expenditures for DLS increase by \$80,000 in fiscal 2017 for additional hardware and software to enable downloadable audio recordings of floor sessions. Future year expenditures reflect annual maintenance costs.

(in dollars)	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	80,000	5,000	5,000	5,000	5,000
Net Effect	(\$80,000)	(\$5,000)	(\$5,000)	(\$5,000)	(\$5,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: 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 county 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, judicial nominating commissions, and single-member entities, among others.

DLS is required to develop, coordinate, support and maintain computer services and information systems for the General Assembly. It must provide computer training for General Assembly employees and plan for the future information systems needs of the General Assembly.

All floor and standing committee meetings in both the Senate and the House of Delegates are subject to the Open Meetings Act. Thus, they are open to the public and must be published in the General Assembly's meeting schedule. Live and archived video streaming is available for all standing committee meetings of the House of Delegates and the Senate. Standing committees do not currently stream video of voting sessions, however. Live and archived audio streaming is available for floor sessions of both chambers. All live and archived video and audio is available on the General Assembly website within the 12-hour period established by the bill. Downloading is not enabled.

State Expenditures: General fund expenditures for DLS increase by \$80,000 in fiscal 2017, which reflects the costs to purchase and install additional hardware and software to enable downloadable audio recordings of floor sessions in both chambers. DLS notes that the bill does not explicitly require that files be *available for downloading*, only that they be *in a format that allows them to be downloaded*. However, this analysis assumes that the intent of the bill is that the recordings be available for downloading, not just that they be in a format that allows them to be downloaded. The Office of Information Systems (OIS) within DLS reports that all files are already in the MP4 format, the industry standard for downloading, but that additional hardware and software is necessary to enable the audio files from chamber recordings to be downloaded by the public; currently, the public can access and play archived recordings, but not download them.

Future year expenditures, which total \$5,000 annually, reflect ongoing system maintenance.

OIS reports that providing downloadable committee video recordings can be handled with existing resources, as it is merely an option within the existing video system that is not currently enabled.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

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mel/mcr

Analysis by: Michelle Davis

Direct Inquiries to:
(410) 946-5510
(301) 970-5510