

SENATE BILL 184

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CF HB 71

By: **Senator Kagan**

Introduced and read first time: January 23, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Elections – Open Meetings – Video Streaming and Recording**
3 **(State Board of Elections Transparency Act)**

4 FOR the purpose of requiring the State Board of Elections, in consultation with the
5 Department of Information Technology, to make publicly available on the Internet
6 each meeting agenda, made available a certain amount of time in advance of each
7 meeting, live video streaming, and complete, unedited archived video recordings of
8 open meetings; requiring the State Board to make the archived video recordings
9 available for a certain minimum period of time; and generally relating to open
10 meetings of the State Board of Elections.

11 BY repealing and reenacting, with amendments,
12 Article – Election Law
13 Section 2–102
14 Annotated Code of Maryland
15 (2017 Replacement Volume and 2018 Supplement)

16 Preamble

17 WHEREAS, The General Assembly has determined that it is essential to the
18 maintenance of a democratic society that public business be performed in an open and
19 accessible manner; and

20 WHEREAS, The Internet and other technological developments have increased the
21 ways governmental bodies can provide public access to their open meetings, including live
22 streaming or recording the meetings; and

23 WHEREAS, The Board of Public Works uses a multicamera unit, a computer, and a
24 subscription to a live video platform service to broadcast and record its meetings; and

25 WHEREAS, The State Board of Elections would improve public access to its

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 meetings by using a broadcast system similar to the system used by the Board of Public
2 Works; now, therefore,

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That the Laws of Maryland read as follows:

5 **Article – Election Law**

6 2–102.

7 (a) The State Board shall manage and supervise elections in the State and ensure
8 compliance with the requirements of this article and any applicable federal law by all
9 persons involved in the elections process.

10 (b) In exercising its authority under this article and in order to ensure compliance
11 with this article and with any requirements of federal law, the State Board shall:

12 (1) supervise the conduct of elections in the State;

13 (2) direct, support, monitor, and evaluate the activities of each local board;

14 (3) have a staff sufficient to perform its functions;

15 (4) adopt regulations to implement its powers and duties;

16 (5) receive, or in its discretion audit, campaign finance reports, account
17 books and records kept under § 13–221 of this article, independent expenditure reports filed
18 and records kept under § 13–306 of this article, electioneering communication reports filed
19 and records kept under § 13–307 of this article, and statements filed and records kept under
20 § 14–105 of this article;

21 (6) appoint a State Administrator in accordance with § 2–103 of this
22 subtitle;

23 (7) maximize the use of technology in election administration, including
24 the development of a plan for a comprehensive computerized elections management system;

25 (8) canvass and certify the results of elections as prescribed by law;

26 (9) make available to the general public, in a timely and efficient manner,
27 information on the electoral process, including a publication that includes the text of this
28 article, relevant portions of the Maryland Constitution, and information gathered and
29 maintained regarding elections;

30 (10) subject to § 2–106 of this subtitle and § 13–341 of this article, receive,
31 maintain, and serve as a depository for elections documents, materials, records, statistics,
32 reports, certificates, proclamations, and other information prescribed by law or regulation;

1 (11) prescribe all forms required under this article; and

2 (12) serve as the official designated office in accordance with the Uniformed
3 and Overseas Citizens Absentee Voting Act for providing information regarding voter
4 registration and absentee ballot procedures for absent uniformed services voters and
5 overseas voters with respect to elections for federal office.

6 (c) The powers and duties assigned to the State Board under this article shall be
7 exercised in accordance with an affirmative vote by a supermajority of the members of the
8 State Board.

9 **(D) THE STATE BOARD, IN CONSULTATION WITH THE DEPARTMENT OF**
10 **INFORMATION TECHNOLOGY, SHALL MAKE PUBLICLY AVAILABLE ON THE**
11 **INTERNET:**

12 **(1) EACH MEETING AGENDA, MADE AVAILABLE AT LEAST 24 HOURS IN**
13 **ADVANCE OF EACH MEETING;**

14 **(2) LIVE VIDEO STREAMING OF EACH OPEN MEETING OF THE STATE**
15 **BOARD; AND**

16 **(3) A COMPLETE, UNEDITED ARCHIVED VIDEO RECORDING OF EACH**
17 **OPEN MEETING FOR A MINIMUM OF 4 YEARS AFTER THE DATE OF THE MEETING.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2019.