

# HOUSE BILL 104

L3  
HB 381/22 – ENT

(PRE-FILED)

3lr0522  
CF 3lr1196

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By: **Delegate Solomon**

Requested: October 10, 2022

Introduced and read first time: January 11, 2023

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities – Charter Amendments – Notice**

3 FOR the purpose of modifying the manner in which the chief executive officer of a  
4 municipality may fulfill certain notice requirements; requiring the municipality to  
5 maintain certain records or receipts and make the records or receipts available to  
6 the public; and generally relating to methods of providing notice of municipal charter  
7 amendment resolutions.

8 BY repealing and reenacting, with amendments,  
9 Article – Local Government  
10 Section 4–304(b) and 4–305(f)  
11 Annotated Code of Maryland  
12 (2013 Volume and 2022 Supplement)

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

15 **Article – Local Government**

16 4–304.

17 (b) **(1)** The chief executive officer of the municipality shall give notice of the  
18 resolution that proposes an amendment to the municipal charter by:

19 **[(1)] (I)** posting an exact copy of the resolution at the main municipal  
20 building or other public place for the 40 days after the resolution is adopted; and

21 **[(2)] (II) 1.** publishing a fair summary of the proposed amendment in  
22 a newspaper of general circulation in the municipality:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1            [(i)] A.     at least four times;
- 2            [(ii)] B.    at weekly intervals; and
- 3            [(iii)] C.    within the 40 days after the resolution is adopted; OR

4                            2.    A.    PUBLISHING A FAIR SUMMARY OF THE  
5 PROPOSED AMENDMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THE  
6 MUNICIPALITY AT LEAST ONCE; AND

7                            B.    DELIVERING A COPY OF A FAIR SUMMARY OF THE  
8 PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL ONCE TO EVERY  
9 RESIDENCE IN THE MUNICIPALITY.

10                    (2)    THE DELIVERY REQUIRED UNDER PARAGRAPH (1)(II)2B OF THIS  
11 SUBSECTION MAY BE ACCOMPLISHED BY INCLUDING A FAIR SUMMARY OF THE  
12 PROPOSED CHARTER AMENDMENT IN A PRINTED NEWSLETTER OR ANY OTHER  
13 REGULAR MUNICIPAL PUBLICATION.

14                    (3)    THE MUNICIPALITY DELIVERING A COPY OF A FAIR SUMMARY  
15 UNDER PARAGRAPH (1)(II)2B OF THIS SUBSECTION SHALL:

16                            (I)    MAINTAIN A RECORD OF OR A COPY OF THE RECEIPT FOR  
17 THE DELIVERY UNDER THE RECORDS RETENTION AND DOCUMENT DISPOSAL  
18 SCHEDULE OF THE MUNICIPALITY; AND

19                            (II)   MAKE THE RECORD OR COPY AVAILABLE TO THE GENERAL  
20 PUBLIC IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT.

21 4-305.

22            (f)    (1)    The chief executive officer of the municipality shall give notice of a  
23 submission of a proposed charter amendment by:

24                            [(1)] (i)    1.    posting an exact copy of the proposed amendment at the  
25 main municipal building or other public place for at least 4 weeks immediately preceding  
26 the referendum at which the question is to be submitted; and

27                            [(ii)] 2.    on the day of the referendum, posting a similar copy at the  
28 place for voting; and

29                            [(2)] (II) 1.    publishing notice of the referendum and a fair summary of  
30 the proposed amendment in a newspaper of general circulation in the municipality at least  
31 once in each of the 4 weeks immediately preceding the referendum; OR

1                                   **2. A. PUBLISHING A FAIR SUMMARY OF THE**  
2 **PROPOSED AMENDMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THE**  
3 **MUNICIPALITY AT LEAST ONCE; AND**

4                                   **B. DELIVERING A COPY OF A FAIR SUMMARY OF THE**  
5 **PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL TO EVERY**  
6 **RESIDENCE IN THE MUNICIPALITY.**

7                                   **(2) THE DELIVERY REQUIRED UNDER PARAGRAPH (1)(II)2B OF THIS**  
8 **SUBSECTION MAY BE ACCOMPLISHED BY INCLUDING A FAIR SUMMARY OF THE**  
9 **PROPOSED CHARTER AMENDMENT IN A PRINTED NEWSLETTER OR ANY OTHER**  
10 **REGULAR MUNICIPAL PUBLICATION.**

11                                   **(3) THE MUNICIPALITY DELIVERING A COPY OF A FAIR SUMMARY**  
12 **UNDER PARAGRAPH (1)(II)2B OF THIS SUBSECTION SHALL:**

13                                   **(I) MAINTAIN A RECORD OF OR A COPY OF THE RECEIPT FOR**  
14 **THE DELIVERY UNDER THE RECORDS RETENTION AND DOCUMENT DISPOSAL**  
15 **SCHEDULE OF THE MUNICIPALITY; AND**

16                                   **(II) MAKE THE RECORD OR COPY AVAILABLE TO THE GENERAL**  
17 **PUBLIC IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT.**

18                                   **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
19 **October 1, 2023.**