
By: Senator Dyson

Introduced and read first time: January 30, 1997

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Open Meetings - Private Entities**

3 FOR the purpose of requiring certain private entities that receive certain State funds to
4 comply with the Open Meetings Act; and generally relating to open meetings and
5 certain private entities.

6 BY repealing and reenacting, with amendments,
7 Article - State Government
8 Section 10-502(h)
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1996 Supplement)

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

13 **Article - State Government**

14 10-502.

15 (h) (1) "Public body" means:

16 (I) an entity that:

17 [(i)] 1. consists of at least 2 individuals; and

18 [(ii)] 2. is created by:

19 [1.] A. the Maryland Constitution;

20 [2.] B. a State statute;

21 [3.] C. a county charter;

22 [4.] D. an ordinance;

23 [5.] E. a rule, resolution, or bylaw;

24 [6.] F. an executive order of the Governor; or

25 [7.] G. an executive order of the chief executive authority of a
26 political subdivision of the State; OR

2

1 (II) A PRIVATE ENTITY THAT, DURING THE FISCAL YEAR IN WHICH
2 A MEETING IS HELD:

3 1. WILL RECEIVE THE PROCEEDS OF A STATE BOND; OR

4 2. RECEIVES FUNDING IN THE STATE BUDGET.

5 (2) "Public body" includes any multimember board, commission, or
6 committee appointed by the Governor or the chief executive authority of a political
7 subdivision of the State, if the entity includes in its membership at least 2 individuals not
8 employed by the State or a political subdivision of the State.

9 (3) "Public body" does not include:

10 (i) any single member entity;

11 (ii) any judicial nominating commission;

12 (iii) any grand jury;

13 (iv) any petit jury;

14 (v) the Appalachian States Low Level Radioactive Waste Commission
15 established in § 7-302 of the Environment Article;

16 (vi) except when a court is exercising rulemaking power, any court
17 established in accordance with Article IV of the Maryland Constitution;

18 (vii) the Governor's cabinet, the Governor's Executive Council as
19 provided in Title 8, Subtitle 1 of the State Government Article, or any committee of the
20 Executive Council;

21 (viii) a local government's counterpart to the Governor's cabinet,
22 Executive Council, or any committee of the counterpart of the Executive Council;

23 (ix) the governing body of a hospital as defined in § 19-301(e) of the
24 Health - General Article; and

25 (x) a self-insurance pool that is established in accordance with Article
26 48A, § 482B or § 9-404 of the Labor and Employment Article by:

27 1. a public entity, as defined in Article 48A, § 482B of the Code;
28 or

29 2. a county or municipal corporation, as defined in § 9-404 of
30 the Labor and Employment Article.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1997.