

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

Senate Bill 147 (Senator Della)  
Education, Health, and Environmental Affairs

---

**Baltimore Development Corporation - Open Meetings Act and Public Access to Records**

---

This bill provides that the Baltimore Development Corporation (BDC) is a public body subject to the State's Open Meetings Act. The bill also provides that BDC's records are public records.

---

**Fiscal Summary**

**State Effect:** None. The bill would not affect State activities or operations.

**Local Effect:** Allowing public access to BDC meetings and records would not materially affect Baltimore City finances.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** Under Maryland's Open Meetings Act, with limited exceptions, a "public body" must meet in open session. 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 charter; 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. The general public is entitled to attend open session meetings.

Generally, a custodian of a public record must permit inspection of the record at a reasonable time. Denial of an application for inspection of a public record is mandatory under specified conditions and permissible under specified conditions. The custodian must permit or deny the inspection within 30 days after receiving application for inspection.

**Background:** BDC is a nonprofit corporation under contract to the City of Baltimore to act as its economic development agent. BDC was formed in 1991 through the merger of three nonprofit organizations working for the city. It implements and oversees major economic development projects in Baltimore City.

---

### **Additional Information**

**Prior Introductions:** An identical bill, SB 241, was introduced in the 2000 session and received an unfavorable report from the Senate Economic and Environmental Affairs Committee.

**Cross File:** None.

**Information Source(s):** Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2003  
lc/jr

---

Analysis by: Ryan Wilson

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