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By: **Senator Haines**

Introduced and read first time: March 7, 2005

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2                           **State Government - Meetings of Governing Bodies - Actions Prior to**  
3                           **Convening**

4 FOR the purpose of requiring that during the time prior to the actual call to order or  
5 convening of business of a governing body, any expressions by members of the  
6 governing body or members of the public shall be held consistent with the  
7 member's First Amendment right of freedom of speech; defining a certain term;  
8 and generally relating to actions of individuals prior to convening a meeting of a  
9 governing body.

10 BY adding to

11     Article - State Government  
12     Section 10-5A-01 to be under the new subtitle "Subtitle 5A. Meetings of  
13         Governing Bodies"  
14     Annotated Code of Maryland  
15     (2004 Replacement Volume)

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

18                           **Article - State Government**

19                           SUBTITLE 5A. MEETINGS OF GOVERNING BODIES.

20 10-5A-01.

21     (A)     IN THIS SECTION, "GOVERNING BODY" MEANS:

22             (1)     THE GENERAL ASSEMBLY;

23             (2)     THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF A CHARTER  
24 COUNTY WITH A COUNTY EXECUTIVE;

25             (3)     THE COUNTY COUNCIL OF A CHARTER COUNTY WITH NO COUNTY  
26 EXECUTIVE;

- 1           (4)     THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY;
- 2           (5)     THE MAYOR AND CITY COUNCIL OF BALTIMORE; OR
- 3           (6)     THE ELECTED OFFICIALS OF ANY MUNICIPAL CORPORATION IN THE
- 4 STATE.

5       (B)     DURING THE TIME PRIOR TO THE ACTUAL CALL TO ORDER OR CONVENING  
6 OF BUSINESS OF A GOVERNING BODY, ANY EXPRESSIONS BY MEMBERS OF THE  
7 GOVERNING BODY OR MEMBERS OF THE PUBLIC SHALL BE HELD CONSISTENT WITH  
8 THE MEMBER'S FIRST AMENDMENT RIGHT OF FREEDOM OF SPEECH.

9       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2005.