
By: **Delegates Weldon, G. Clagett, Levy, and Mayer**

Introduced and read first time: February 6, 2006

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Open Meetings Act - Executive Function - Reporting Requirement**

3 FOR the purpose of requiring a public body that adjourns an open session to carry out

4 an executive function in a meeting that is not open to the public to include

5 certain information in the minutes of its next open session; and generally

6 relating to requirements for meeting to carry out an executive function under

7 the Open Meetings Act.

8 BY repealing and reenacting, with amendments,

9 Article - State Government

10 Section 10-503

11 Annotated Code of Maryland

12 (2004 Replacement Volume and 2005 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - State Government**

16 10-503.

17 (a) Except as provided in [subsection (b)] SUBSECTIONS (B) AND (C) of this
18 section, this subtitle does not apply to:

19 (1) a public body when it is carrying out:

20 (i) an executive function;

21 (ii) a judicial function; or

22 (iii) a quasi-judicial function; or

23 (2) a chance encounter, social gathering, or other occasion that is not
24 intended to circumvent this subtitle.

1 (b) The provisions of this subtitle apply to a public body when it is meeting to
2 consider:

3 (1) granting a license or permit; or

4 (2) a special exception, variance, conditional use, zoning classification,
5 the enforcement of any zoning law or regulation, or any other zoning matter.

6 (C) IF A PUBLIC BODY ADJOURNS AN OPEN SESSION TO CARRY OUT AN
7 EXECUTIVE FUNCTION IN A MEETING THAT IS NOT OPEN TO THE PUBLIC, THE
8 MINUTES FOR THE PUBLIC BODY'S NEXT MEETING SHALL INCLUDE:

9 (1) A STATEMENT OF THE TIME, PLACE, AND PURPOSE OF THE
10 EXECUTIVE FUNCTION SESSION; AND

11 (2) A LIST OF THE TOPICS OF DISCUSSION, PERSONS PRESENT, AND
12 EACH ACTION TAKEN DURING THE EXECUTIVE FUNCTION SESSION.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2006.