

HOUSE BILL 612

P3

71r2251

By: **Delegates Smigiel, Anderson, Barnes, Beidle, Beitzel, Carter, Conaway, Dumais, Dwyer, George, Haddaway, Heller, Ivey, James, Kach, Kelly, Kramer, Krebs, Manno, McComas, McConkey, Shewell, Sophocleus, Sossi, Stull, and Waldstreicher**

Introduced and read first time: February 8, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study the Enforcement of the Open Meetings Act**

3 FOR the purpose of establishing a Task Force to Study the Enforcement of the Open
4 Meetings Act; establishing the membership of the Task Force; requiring the
5 members of the Task Force to designate the chair of the Task Force; requiring
6 the Office of the Attorney General to provide staffing for the Task Force;
7 prohibiting a member of the Task Force from receiving certain compensation,
8 but authorizing a member of the Task Force to receive certain reimbursements;
9 requiring the Task Force to study and make recommendations regarding certain
10 issues; requiring the Task Force to submit a report regarding its findings and
11 recommendations to certain officials by a certain date; providing for the
12 termination of this Act; and generally relating to the Task Force to Study the
13 Enforcement of the Open Meetings Act.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That:

16 (a) There is a Task Force to Study the Enforcement of the Open Meetings
17 Act.

18 (b) The Task Force consists of the following members:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) the members of the State Open Meetings Law Compliance Board;
2 and

3 (2) a representative of Common Cause Maryland or the
4 Maryland–Delaware–DC Press Association, appointed by the Governor.

5 (c) The members of the Task Force shall designate the chair of the Task
6 Force.

7 (d) The Office of the Attorney General shall provide staff for the Task Force.

8 (e) A member of the Task Force may not receive compensation as a member
9 of the Task Force, but is entitled to reimbursement for expenses under the Standard
10 State Travel Regulations, as provided in the State budget.

11 (f) The Task Force shall:

12 (1) study the effectiveness of the current enforcement provisions of the
13 Open Meetings Act;

14 (2) determine whether stronger enforcement provisions are required to
15 deter violations of the Open Meetings Act, including a higher civil penalty for a
16 member of a public body who willfully participates in a meeting of the body with
17 knowledge that the meeting is being held in violation of the Open Meetings Act; and

18 (3) make recommendations for appropriate statutory changes or other
19 measures to improve the enforcement of the Open Meetings Act.

20 (g) On or before December 31, 2007, the Task Force shall report its findings
21 and recommendations to the Governor and, in accordance with § 2–1246 of the State
22 Government Article, the General Assembly.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 2007. It shall remain effective for a period of 1 year and, at the end of May 31,
25 2008, with no further action required by the General Assembly, this Act shall be
26 abrogated and of no further force and effect.