

HOUSE BILL 1194

P3

9lr0962

By: **Delegates Benson, Weldon, Bromwell, and Costa**

Introduced and read first time: February 13, 2009

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Open Meetings Act – Expansion of Definition of Public Body**

3 FOR the purpose of expanding the definition of “public body” under the Open Meetings
4 Act to include certain entities appointed by certain public bodies or certain
5 officials of the public bodies if the membership of the entity has a certain
6 composition; and generally relating to the definition of public body under the
7 Open Meetings Act.

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 10–502(h)
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2008 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 10–502.

17 (h) (1) “Public body” means an entity that:

18 (i) consists of at least 2 individuals; and

19 (ii) is created by:

20 1. the Maryland Constitution;

21 2. a State statute;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (vii) the Governor's cabinet, the Governor's Executive Council as
4 provided in Title 8, Subtitle 1 of this article, or any committee of the Executive
5 Council;

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

8 (ix) except as provided in paragraph (1) of this subsection, a
9 subcommittee of a public body as defined under paragraph (2)(i) of this subsection;

10 (x) the governing body of a hospital as defined in § 19-301 of
11 the Health – General Article; and

12 (xi) a self-insurance pool that is established in accordance with
13 Title 19, Subtitle 6 of the Insurance Article or § 9-404 of the Labor and Employment
14 Article by:

15 1. a public entity, as defined in § 19-602 of the
16 Insurance Article; or

17 2. a county or municipal corporation, as defined in
18 § 9-404 of the Labor and Employment Article.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2009.