

SENATE BILL 39

P1
SB 1000/05 – EHE

(PRE-FILED)

0lr0907

By: **Senator Haines**

Requested: October 30, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Meetings of Governing Bodies – Actions Before**
3 **Convening**

4 FOR the purpose of requiring that during the time before the actual call to order or
5 convening of business of a governing body, any expression by a member of the
6 governing body or a member 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 before 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 (2009 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;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF A**
2 **CHARTER COUNTY WITH A COUNTY EXECUTIVE;**

3 **(3) THE COUNTY COUNCIL OF A CHARTER COUNTY WITH NO**
4 **COUNTY EXECUTIVE;**

5 **(4) THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY;**

6 **(5) THE MAYOR AND CITY COUNCIL OF BALTIMORE; OR**

7 **(6) THE ELECTED OFFICIALS OF ANY MUNICIPAL CORPORATION**
8 **IN THE STATE.**

9 **(B) DURING THE TIME BEFORE THE ACTUAL CALL TO ORDER OR**
10 **CONVENING OF BUSINESS OF A GOVERNING BODY, ANY EXPRESSIONS BY A**
11 **MEMBER OF THE GOVERNING BODY OR A MEMBER OF THE PUBLIC SHALL BE**
12 **HELD CONSISTENT WITH THE MEMBER'S FIRST AMENDMENT RIGHT OF**
13 **FREEDOM OF SPEECH.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2010.