

HOUSE BILL 157

P1

4r1382
CF SB 847

By: **Delegates Krebs, Bates, Elliott, W. Miller, Ready, and Stocksdale**

Introduced and read first time: January 15, 2014

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2014

CHAPTER _____

1 AN ACT concerning

2 ~~Open Meetings Act – Advance Notice of Meeting – Agenda~~

3 Joint Committee on Transparency and Open Government – Study on
4 Requiring Public Bodies to Provide Agendas Under the Open Meetings Act

5 FOR the purpose of requiring ~~a public body to include an agenda containing certain~~
6 ~~information in the advance notice of a meeting held by a certain public body;~~
7 ~~and generally relating to notices of meetings held by public bodies~~ the Joint
8 Committee on Transparency and Open Government to conduct a study on
9 requiring public bodies to provide agendas under the Open Meetings Act;
10 requiring that the study take into consideration certain factors; requiring the
11 Joint Committee to report to certain committees of the General Assembly on or
12 before a certain date; providing for the termination of this Act; and generally
13 relating to the Joint Committee on Transparency and Open Government and
14 the Study on Requiring Public Bodies to Provide Agendas Under the Open
15 Meetings Act.

16 ~~BY repealing and reenacting, with amendments,~~
17 ~~Article – State Government~~
18 ~~Section 10-506~~
19 ~~Annotated Code of Maryland~~
20 ~~(2009 Replacement Volume and 2013 Supplement)~~

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Joint Committee on Transparency and Open Government, as
 2 established under § 2-10A-14 of the State Government Article, shall conduct a study
 3 on the circumstances, if any, under which a public body should be required to provide
 4 agendas to the public in advance of meeting.

5 (b) The study shall take into consideration:

6 (1) input from:

7 (i) the Office of the Attorney General;

8 (ii) the Maryland-Delaware-DC Press Association;

9 (iii) representatives of local and State government, including the
 10 Maryland Association of Counties and the Maryland Municipal League; and

11 (iv) other parties that express interest in participating in the
 12 study; and

13 (2) any other factors the Joint Committee determines are relevant.

14 (c) On or before January 1, 2015, the Joint Committee shall report its
 15 findings and any recommended legislation to the Senate Education, Health, and
 16 Environmental Affairs Committee and the House Health and Government Operations
 17 Committee, in accordance with § 2-1246 of the State Government Article.

18 ~~Article - State Government~~

19 ~~10-506.~~

20 ~~(a) Before meeting in a closed or open session, a public body shall give~~
 21 ~~reasonable advance notice of the session.~~

22 ~~(b) Whenever reasonable, a notice under this section shall:~~

23 ~~(1) be in writing;~~

24 ~~(2) include the date, time, and place of the session; [and]~~

25 ~~(3) INCLUDE AN AGENDA CONTAINING INFORMATION~~
 26 ~~SUFFICIENTLY DESCRIPTIVE TO INFORM THE PUBLIC OF THE MATTERS TO BE~~
 27 ~~DISCUSSED OR DECIDED AT THE MEETING; AND~~

28 ~~[(3)] (4) if appropriate, include a statement that a part or all of a~~
 29 ~~meeting may be conducted in closed session.~~

1 ~~(e) A public body may give the notice under this section as follows:~~

2 ~~(1) if the public body is a unit of the State government, by publication~~
 3 ~~in the Maryland Register;~~

4 ~~(2) by delivery to representatives of the news media who regularly~~
 5 ~~report on sessions of the public body or the activities of the government of which the~~
 6 ~~public body is a part;~~

7 ~~(3) if the public body previously has given public notice that this~~
 8 ~~method will be used;~~

9 ~~(i) by posting or depositing the notice at a convenient public~~
 10 ~~location at or near the place of the session; or~~

11 ~~(ii) by posting the notice on an Internet website ordinarily used~~
 12 ~~by the public body to provide information to the public; or~~

13 ~~(4) by any other reasonable method.~~

14 ~~(d) A public body shall keep a copy of a notice provided under this section for~~
 15 ~~at least 1 year after the date of the session.~~

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 17 October July 1, 2014. It shall remain effective for a period of 1 year and, at the end of
 18 June 30, 2015, with no further action required by the General Assembly, this Act shall
 19 be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.