

HOUSE BILL 583

P1

51r0908
CF 51r2906

By: **Delegates Krebs, Arentz, Kittleman, McComas, W. Miller, Morgan, and Saab**
Introduced and read first time: February 12, 2015
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Open Meetings Act – Requirements for Providing Agendas**

3 FOR the purpose of requiring a public body to provide an agenda containing certain
4 information within a certain time before a certain meeting is held by a public body;
5 providing that certain information does not need to be included in a certain agenda;
6 authorizing methods by which a public body may provide a certain agenda; and
7 generally relating to requirements for agendas and the Open Meetings Act.

8 BY adding to

9 Article – General Provisions
10 Section 3–302.1
11 Annotated Code of Maryland
12 (2014 Volume)

13 Preamble

14 WHEREAS, Requiring public bodies to provide notice of agenda items promotes open
15 government; and

16 WHEREAS, Public bodies should respect the right of the public to know about
17 government policy–making and regulatory decisions; and

18 WHEREAS, It is the intent of the General Assembly to uphold democracy by making
19 public participation in government deliberations possible; now, therefore,

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

22 **Article – General Provisions**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3-302.1.**

2 (A) (1) BEFORE MEETING IN AN OPEN SESSION, A PUBLIC BODY SHALL
3 PROVIDE TO THE PUBLIC AN AGENDA:

4 (I) CONTAINING AVAILABLE INFORMATION REGARDING
5 MATTERS TO BE DISCUSSED AT THE PORTION OF THE MEETING THAT IS OPEN; AND

6 (II) INDICATING WHETHER THE PUBLIC BODY EXPECTS TO
7 CLOSE ANY PORTION OF THE MEETING IN ACCORDANCE WITH § 3-305 OF THIS
8 SUBTITLE.

9 (2) IF AN AGENDA HAS BEEN DETERMINED AT THE TIME THE PUBLIC
10 BODY GIVES NOTICE OF THE MEETING UNDER § 3-302 OF THIS SUBTITLE THE
11 PUBLIC BODY SHALL PROVIDE THE AGENDA AT THE SAME TIME IT PROVIDES NOTICE
12 OF THE MEETING.

13 (3) IF AN AGENDA HAS NOT BEEN DETERMINED AT THE TIME THE
14 PUBLIC BODY GIVES NOTICE OF THE MEETING, THE PUBLIC BODY SHALL PROVIDE
15 THE AGENDA AT LEAST 24 HOURS BEFORE THE MEETING.

16 (B) A PUBLIC BODY IS NOT REQUIRED TO PROVIDE ANY INFORMATION IN
17 THE AGENDA REGARDING THE SUBJECT MATTER OF THE PORTION OF THE MEETING
18 THAT IS CLOSED IN ACCORDANCE WITH § 3-305 OF THIS SUBTITLE.

19 (C) (1) A PUBLIC BODY REQUIRED TO PROVIDE AN AGENDA UNDER
20 SUBSECTION (A) OF THIS SECTION MAY PROVIDE THE AGENDA USING A METHOD
21 AUTHORIZED FOR GIVING NOTICE UNDER § 3-302(C) OF THIS SUBTITLE.

22 (2) THE METHOD A PUBLIC BODY USES FOR PROVIDING AN AGENDA
23 MAY BE DIFFERENT FROM THE METHOD A PUBLIC BODY USES FOR GIVING NOTICE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2015.