

**SB0017/234235/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 17  
(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “Tape”; in line 4, strike “written” and substitute “certain”; in the same line, strike “tape”; in line 5, after “law;” insert “requiring certain public bodies to post online certain minutes or recordings, to the extent practicable; altering a certain requirement relating to the preparation of minutes; making certain stylistic and conforming changes;”; in line 6, strike “tape”; and in line 9, strike “3-306(e)” and substitute “3-206(b)(2)(iii) and (3) and 3-306(b) through (e)”.

AMENDMENT NO. 2

After line 14, insert:

“3-206.

(b) (2) On request of the Board, the public body shall include with its written response to the complaint a copy of:

(iii) the [written] minutes and any [tape] recording made by the public body under § 3-306 of this title.

(3) The Board shall maintain the confidentiality of the [written] minutes and any [tape] recording submitted by a public body that are sealed in accordance with § 3-306(c)(3)(ii) of this title.”;

after line 15, insert:

(Over)

**SB0017/234235/1 Education, Health, and Environmental Affairs Committee  
Amendments to SB 17  
Page 2 of 4**

“(b) (1) Subject to paragraphs (2) and (3) of this subsection, as soon as practicable after a public body meets, it shall have [written] minutes of its session prepared.

(2) A public body need not prepare [written] minutes of an open session if:

(i) live and archived video or audio streaming of the open session is available; or

(ii) the public body votes on legislation and the individual votes taken by each member of the public body who participates in the voting are posted promptly on the Internet.

(3) The information specified under paragraph (2) of this subsection shall be deemed the minutes of the open session.

(c) (1) The [written] minutes shall reflect:

(i) each item that the public body considered;

(ii) the action that the public body took on each item; and

(iii) each vote that was recorded.

(2) If a public body meets in closed session, the [written] minutes for its next open session shall include:

(i) a statement of the time, place, and purpose of the closed session;

(ii) a record of the vote of each member as to closing the session;

**SB0017/234235/1 Education, Health, and Environmental Affairs Committee  
Amendments to SB 17  
Page 3 of 4**

(iii) a citation of the authority under § 3–305 of this subtitle for closing the session; and

(iv) a listing of the topics of discussion, persons present, and each action taken during the session.

(3) (i) A session may be [tape] recorded by a public body.

(ii) Except as otherwise provided in paragraph (4) of this subsection, the [written] minutes and any [tape] recording of a closed session shall be sealed and may not be open to public inspection.

(4) The [written] minutes and any [tape] recording shall be unsealed and open to inspection as follows:

(i) for a meeting closed under § 3–305(b)(5) of this subtitle, when the public body invests the funds;

(ii) for a meeting closed under § 3–305(b)(6) of this subtitle, when the public securities being discussed have been marketed; or

(iii) on request of a person or on the public body’s own initiative, if a majority of the members of the public body present and voting vote in favor of unsealing the [written] minutes and any [tape] recording.

(d) Except as provided in subsection (c) of this section, [written] minutes of a public body are public records and shall be open to public inspection during ordinary business hours.”;

(Over)

**SB0017/234235/1 Education, Health, and Environmental Affairs Committee  
Amendments to SB 17  
Page 4 of 4**

in line 16, after “(e)” insert “**(1)**”; in the same line, strike “written”; in line 17, strike “tape”; and after line 18, insert:

**“(2) TO THE EXTENT PRACTICABLE, A PUBLIC BODY SHALL POST  
ONLINE THE MINUTES OR RECORDINGS REQUIRED TO BE KEPT UNDER  
PARAGRAPH (1) OF THIS SUBSECTION.”.**