P3 6lr1192 CF SB 17

By: Delegates Saab, Cullison, Grammer, Kelly, Kittleman, Krebs, Metzgar, Miele, W. Miller, Morgan, Pena-Melnyk, Rose, Shoemaker, and West

Introduced and read first time: February 10, 2016 Assigned to: Health and Government Operations

## A BILL ENTITLED

1 AN ACT concerning

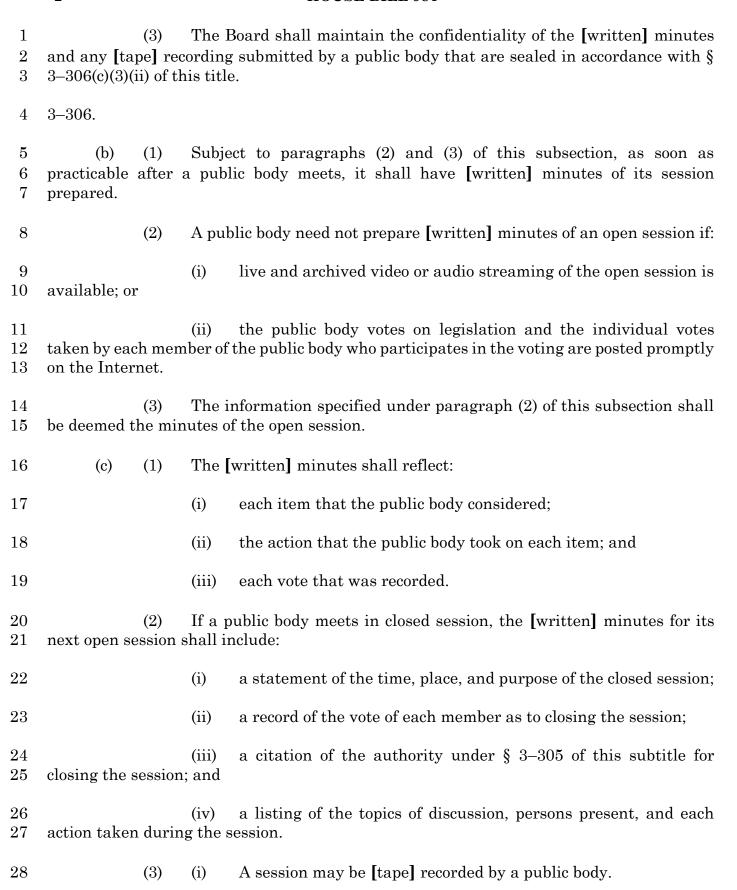
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Open Meetings Act –	Retention	of Minutes and	d Recordings -	Revision
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- FOR the purpose of increasing the number of years after the date of an open session a public body is required to keep a copy of certain minutes of the open session and any recording made under certain provisions of law; 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; and generally relating to the retention of minutes and tape recordings under the Open Meetings Act.
- 10 BY repealing and reenacting, with amendments,
- 11 Article General Provisions
- 12 Section 3–206(b)(2)(iii) and (3) and 3–306(b) through (e)
- 13 Annotated Code of Maryland
- 14 (2014 Volume and 2015 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 16 That the Laws of Maryland read as follows:

## 17 Article – General Provisions

- 18 3–206.
- 19 (b) (2) On request of the Board, the public body shall include with its written 20 response to the complaint a copy of:
- 21 (iii) the [written] minutes and any [tape] recording made by the 22 public body under § 3–306 of this title.



- 1 (ii) Except as otherwise provided in paragraph (4) of this subsection, 2 the [written] minutes and any [tape] recording of a closed session shall be sealed and may 3 not be open to public inspection.
- 4 (4) The [written] minutes and any [tape] recording shall be unsealed and 5 open to inspection as follows:
- 6 (i) for a meeting closed under  $\S$  3–305(b)(5) of this subtitle, when the 7 public body invests the funds;
- 8 (ii) for a meeting closed under § 3–305(b)(6) of this subtitle, when the 9 public securities being discussed have been marketed; or
- 10 (iii) on request of a person or on the public body's own initiative, if a 11 majority of the members of the public body present and voting vote in favor of unsealing 12 the [written] minutes and any [tape] recording.
- 13 (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.
- 16 (e) **(1)** A public body shall keep a copy of the [written] minutes of each session and any [tape] recording made under subsection (b)(2)(i) or (c)(3)(i) of this section for at least [1 year] **5** YEARS after the date of the session.
- 19 (2) TO THE EXTENT PRACTICABLE, A PUBLIC BODY SHALL POST 20 ONLINE THE MINUTES OR RECORDINGS REQUIRED TO BE KEPT UNDER PARAGRAPH 21 (1) OF THIS SUBSECTION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.