

SENATE BILL 528

P3

6lr2497
CF HB 250

By: **Senators Bates, Salling, and Waugh**

Introduced and read first time: February 4, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **General Provisions – Open Meetings Act – Required Training and Certificate of**
3 **Compliance**

4 FOR the purpose of expanding the scope of the training requirements under the Open
5 Meetings Act to include all employees, officials, and members of a public body;
6 requiring that certain individuals complete certain training within a certain time
7 period; requiring each new and returning member of the General Assembly to take
8 certain training; requiring the Office of the Attorney General to provide certain
9 training on or before a certain day of a certain session; requiring certain persons to
10 issue certain certificates of compliance within a certain period of time to certain
11 individuals who complete certain training; requiring certain individuals to submit
12 certificates of compliance to a public body or the General Assembly within a certain
13 period of time; requiring each public body and the General Assembly to maintain
14 and make available to the public certain certificates of compliance, post on their Web
15 sites a certain list, and update a certain list on their Web sites on or before a certain
16 date; and generally relating to required training under the Open Meetings Act.

17 BY repealing and reenacting, with amendments,
18 Article – General Provisions
19 Section 3–213
20 Annotated Code of Maryland
21 (2014 Volume and 2015 Supplement)

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

24 **Article – General Provisions**

25 3–213.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) [Each public body shall:

2 (1) designate at least one] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF**
3 **THIS SECTION, EACH** individual who is an employee, an [officer] **OFFICIAL**, or a member
4 of [the] A public body [to receive training on the requirements of the open meetings law;
5 and

6 (2) forward a list of the individuals designated under item (1) of this
7 subsection to the Board.

8 (b) Within 90 days after being designated under subsection (a)(1) of this section,
9 an individual] shall complete:

10 [(1)] (I) an online class on the requirements of the open meetings law
11 offered by the Office of the Attorney General and the University of Maryland's Institute for
12 Governmental Service and Research; or

13 [(2)] (II) a class on the requirements of the open meetings law offered by
14 the Maryland Association of Counties or the Maryland Municipal League through the
15 Academy for Excellence in Local Governance.

16 (2) **UNLESS THE INDIVIDUAL COMPLETED THE TRAINING REQUIRED**
17 **UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN THE PRECEDING 4 YEARS, THE**
18 **INDIVIDUAL SHALL COMPLETE THE REQUIRED TRAINING WITHIN 30 DAYS AFTER**
19 **THE INDIVIDUAL BECOMES AN EMPLOYEE, AN OFFICIAL, OR A MEMBER OF A PUBLIC**
20 **BODY.**

21 (B) (1) **EACH NEW AND RETURNING MEMBER OF THE GENERAL**
22 **ASSEMBLY SHALL TAKE IN-PERSON TRAINING ON THE REQUIREMENTS OF THE**
23 **OPEN MEETINGS LAW.**

24 (2) **THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE**
25 **THE IN-PERSON TRAINING TO THE NEW AND RETURNING MEMBERS OF THE**
26 **GENERAL ASSEMBLY ON OR BEFORE THE 10TH DAY OF THE FIRST REGULAR**
27 **SESSION OF EACH LEGISLATIVE TERM.**

28 (C) (1) (I) **WITHIN 30 DAYS AFTER THE SUCCESSFUL COMPLETION OF**
29 **THE TRAINING REQUIRED UNDER THIS SECTION, THE PERSON WHO PROVIDED THE**
30 **TRAINING SHALL ISSUE A CERTIFICATE OF COMPLIANCE TO THE INDIVIDUAL WHO**
31 **COMPLETED THE TRAINING.**

32 (II) **THE CERTIFICATE OF COMPLIANCE SHALL INCLUDE:**

33 1. **THE INDIVIDUAL'S NAME;**

1 **2. THE INDIVIDUAL'S POSITION; AND**

2 **3. A STATEMENT THAT THE INDIVIDUAL SUCCESSFULLY**
3 **COMPLETED TRAINING ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW.**

4 **(2) (I) WITHIN 10 DAYS AFTER RECEIVING A CERTIFICATE OF**
5 **COMPLIANCE:**

6 **1. AN EMPLOYEE, AN OFFICIAL, OR A MEMBER OF A**
7 **PUBLIC BODY SHALL SUBMIT THE CERTIFICATE TO THE PUBLIC BODY; OR**

8 **2. A MEMBER OF THE GENERAL ASSEMBLY SHALL**
9 **SUBMIT THE CERTIFICATE TO THE GENERAL ASSEMBLY.**

10 **(II) EACH PUBLIC BODY AND THE GENERAL ASSEMBLY SHALL**
11 **MAINTAIN CERTIFICATES OF COMPLIANCE ISSUED UNDER THIS SUBSECTION AND**
12 **MAKE THE CERTIFICATES AVAILABLE TO THE PUBLIC FOR EXAMINATION AND**
13 **COPYING.**

14 **(3) EACH PUBLIC BODY AND THE GENERAL ASSEMBLY SHALL:**

15 **(I) POST ON THEIR WEB SITES A LIST OF INDIVIDUALS IN THE**
16 **PUBLIC BODY OR GENERAL ASSEMBLY WHO HAVE COMPLETED TRAINING ON THE**
17 **REQUIREMENTS OF THE OPEN MEETINGS LAW; AND**

18 **(II) UPDATE THE LIST ON OR BEFORE THE LAST DAY OF EACH**
19 **MONTH.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2016.