

SENATE BILL 396

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By: **Senator Conway**

Introduced and read first time: January 25, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Open Meetings Act – Training – Application**

3 FOR the purpose of specifying the application of a certain provision of law relating to the
4 training of certain members of certain public bodies regarding the Open Meetings
5 Act; and generally relating to the Open Meetings Act.

6 BY repealing and reenacting, with amendments,
7 Article – General Provisions
8 Section 3–213
9 Annotated Code of Maryland
10 (2014 Volume and 2017 Supplement)

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

13 **Article – General Provisions**

14 3–213.

15 (a) This section does not apply to a public body that is:

16 (1) in the Judicial Branch of State government; or

17 (2) subject to governance by rules adopted by the Court of Appeals.

18 (b) Each public body shall designate at least one individual who is an employee,
19 an officer, or a member of the public body to receive training on the requirements of the
20 open meetings law.

21 (c) Within 90 days after being designated under subsection (b) of this section, an
22 individual shall complete a class on the open meetings law.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (1) This subsection applies **ONLY** to a public body that meets in a closed
2 session on or after October 1, 2017.

3 (2) A public body may not meet in a closed session unless the public body
4 has designated at least one member of the public body to receive training on the
5 requirements of the open meetings law.

6 (3) (i) Except as provided in subparagraph (ii) of this paragraph, at
7 least one individual designated under paragraph (2) of this subsection shall be present at
8 each open meeting of the public body.

9 (ii) If an individual designated under paragraph (2) of this
10 subsection cannot be present at an open meeting of the public body, the public body shall
11 complete the Compliance Checklist for Meetings Subject to the Maryland Open Meetings
12 Act developed by the Office of the Attorney General and include the completed checklist in
13 the minutes for the meeting.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2018.