

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 440

(St. Mary's County Delegation)

Health and Government Operations

Education, Health, and Environmental Affairs

**St. Mary's County Open Meetings Act - Public Agencies and Use of New
Technology**

This bill expands the definition of “public agency,” as it applies to the St. Mary’s County Open Meetings Act, to include the St. Mary’s County Board of Library Trustees, the St. Mary’s County Metropolitan Commission, and the St. Mary’s County Housing Authority. The bill encourages public agencies to use new technology when available to aid in public accessibility and transparency.

Fiscal Summary

State Effect: None.

Local Effect: The bill is procedural in nature and does not directly affect St. Mary’s County finances.

Small Business Effect: None.

Analysis

Current Law: “Public agency,” as it applies to the St. Mary’s County Open Meetings Act, means a governmental unit of St. Mary’s County, including an advisory or quasi-judicial agency, that is supported in any part by public money or authorized to spend public money. “Public agency” includes the St. Mary’s County Board of Education, but does not include a jury, a law enforcement agency, or the judicial branch.

“Public agency meeting” means the convening quorum of the constituent membership of a public agency to deliberate or act on a matter under the supervision, control, jurisdiction,

or advisory power of the public agency. “Staff meeting” means a meeting of three or more staff members of one or more public agencies.

Under the St. Mary’s County Open Meetings Act, as codified under State law, a (1) staff meeting or (2) public agency meeting at which official action is taken must be open to the public except as otherwise specified. “Official action” means a phase of the process in which a public agency makes a decision or recommendation, including receipt of information and deliberation.

A public agency meeting must be conducted in a location with reasonable facilities for public observation. In addition, a public agency must provide notice of and record minutes of public agency meetings in accordance with specified requirements.

A public agency that conducts a meeting that is open to the public must allow recorded or live radio and television broadcasting and the use of recording devices, and may adopt rules or regulations regarding the recording and broadcasting of public agency meetings.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): St. Mary’s County; Office of the Attorney General; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2020
rh/mcr Revised - Clarification - February 16, 2020
Third Reader - March 1, 2020

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