

HOUSE BILL 789

L5

11r0420

By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: January 29, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 6, 2021

CHAPTER _____

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Video and Audio Streaming and**
3 **Archiving Meetings and Financial Assistance**

4 **MC/PG 100–21**

5 FOR the purpose of requiring the Washington Suburban Sanitary Commission to stream
6 live video or teleconference audio or other audio of the open meetings of the
7 Commission; requiring the Commission to maintain on its website a complete and
8 unedited archived recording of certain livestreamed open meetings; providing that
9 the inability of the Commission to comply with certain requirements due to a certain
10 technical issue does not affect the validity of actions taken by the Commission at a
11 certain meeting under certain circumstances; requiring the Commission to make
12 certain good faith efforts to record a meeting that it is unable to livestream and to
13 maintain on its website a complete and unedited archived video recording of the
14 meeting; providing that financial assistance provided under the Commission's
15 Customer Assistance Program may include the reduction or waiver of certain fees;
16 and generally relating to the Washington Suburban Sanitary Commission.

17 BY repealing and reenacting, without amendments,
18 Article – Public Utilities
19 Section 16–101(a) and (b)
20 Annotated Code of Maryland
21 (2020 Replacement Volume and 2020 Supplement)

22 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Public Utilities
2 Section 17–106 and 25–501.1(b)
3 Annotated Code of Maryland
4 (2020 Replacement Volume and 2020 Supplement)

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

7 **Article – Public Utilities**

8 16–101.

9 (a) In this division the following words have the meanings indicated.

10 (b) “Commission” means the Washington Suburban Sanitary Commission.

11 17–106.

12 (a) The Commission shall determine the times and places of its meetings.

13 (b) The Commission shall keep minutes in the usual corporate form.

14 (c) (1) The votes of the commissioners shall be:

15 (i) taken and recorded for any action that:

16 1. authorizes, modifies, or rescinds a water or sanitary sewer
17 extension; or

18 2. adopts or amends a water or sewer program of extensions;

19 (ii) taken separately; and

20 (iii) recorded as yeas, nays, or abstentions.

21 (2) The Commission shall record in the minutes:

22 (i) the name of a commissioner who votes or abstains;

23 (ii) the reason for an abstention;

24 (iii) a brief summary of the matters on which a vote is taken; and

25 (iv) any disclosure made under § 19–103 of this article.

26 (d) The minutes shall be open to public inspection at the principal office of the
27 Commission during business hours.

1 **(E) (1) THE COMMISSION SHALL:**

2 **(I) STREAM LIVE VIDEO OR LIVE TELECONFERENCE AUDIO OR**
3 **OTHER AUDIO OF THE OPEN MEETINGS OF THE COMMISSION; AND**

4 **(II) MAINTAIN ON ITS WEBSITE A COMPLETE AND UNEDITED**
5 **ARCHIVED RECORDING OF EACH OPEN MEETING THAT IS LIVESTREAMED IN**
6 **ACCORDANCE WITH THIS SUBSECTION.**

7 **(2) THE INABILITY OF THE COMMISSION TO COMPLY WITH**
8 **PARAGRAPH (1) OF THIS SUBSECTION DUE TO TECHNICAL FAILURE THAT ENTIRELY**
9 **PREVENTS OR OTHERWISE AFFECTS THE QUALITY OF THE LIVE VIDEO OR AUDIO**
10 **STREAMING OF A MEETING OF THE COMMISSION DOES NOT AFFECT THE VALIDITY**
11 **OF ANY ACTION TAKEN BY THE COMMISSION DURING THE MEETING IF:**

12 **(I) THE COMMISSION OTHERWISE COMPLIES WITH THIS**
13 **SECTION AND THE OPEN MEETINGS ACT; AND**

14 **(II) THE INABILITY TO COMPLY IS NOT DUE TO WILLFUL ACTION**
15 **BY THE COMMISSION.**

16 **(3) IN ADDITION TO COMPLYING WITH THE MINUTES REQUIREMENTS**
17 **OF THE OPEN MEETINGS ACT UNDER § 3-306 OF THE GENERAL PROVISIONS**
18 **ARTICLE, IF THE COMMISSION IS UNABLE TO COMPLY WITH THE REQUIREMENTS OF**
19 **PARAGRAPH (1)(I) OF THIS SUBSECTION, THE COMMISSION SHALL MAKE GOOD**
20 **FAITH EFFORTS TO RECORD AN OPEN SESSION BY VIDEO OR AUDIO AND MAINTAIN**
21 **ON ITS WEBSITE A COMPLETE AND UNEDITED ARCHIVED RECORDING OF THE**
22 **MEETING.**

23 25-501.1.

24 (b) (1) Notwithstanding any other law, on or before July 1, 2015, the
25 Commission shall establish a Customer Assistance Program to provide financial assistance
26 with water and sewer bills to eligible ratepayers.

27 (2) The Commission shall establish income eligibility standards for a
28 ratepayer to receive financial assistance under this subsection.

29 **(3) FINANCIAL ASSISTANCE PROVIDED UNDER THIS SUBSECTION**
30 **MAY INCLUDE THE REDUCTION OR WAIVER OF FEES, INCLUDING LATE FEES.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2021.