

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

A BILL ENTITLED

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,
23 Article – Public Utilities
24 Section 17–106 and 25–501.1(b)
25 Annotated Code of Maryland
26 (2020 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



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

3 **Article – Public Utilities**

4 16–101.

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

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

7 17–106.

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

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

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

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

12 1. authorizes, modifies, or rescinds a water or sanitary sewer
13 extension; or

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

15 (ii) taken separately; and

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

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

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

19 (ii) the reason for an abstention;

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

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

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

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

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

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

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

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

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

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

20 25-501.1.

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

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

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

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