

HOUSE BILL 381

L3

2lr1521
CF SB 368

By: **Delegate Solomon**

Introduced and read first time: January 19, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2022

CHAPTER _____

1 AN ACT concerning

2 **Municipalities – Charter Amendments – Notice**

3 FOR the purpose of modifying the manner in which the chief executive officer of a
4 municipality may fulfill certain notice requirements; requiring the municipality to
5 maintain certain records or receipts and make the records or receipts available to
6 the public; and generally relating to methods of providing notice of municipal charter
7 amendment resolutions.

8 BY repealing and reenacting, with amendments,
9 Article – Local Government
10 Section 4–304(b) and 4–305(f)
11 Annotated Code of Maryland
12 (2013 Volume and 2021 Supplement)

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

15 **Article – Local Government**

16 4–304.

17 (b) **(1)** The chief executive officer of the municipality shall give notice of the
18 resolution that proposes an amendment to the municipal charter by:

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 **[(1)] (I)** posting an exact copy of the resolution at the main municipal
2 building or other public place for the 40 days after the resolution is adopted; and

3 **[(2)] (II) 1.** publishing a fair summary of the proposed amendment in
4 a newspaper of general circulation in the municipality:

5 **[(i)] A.** at least four times;

6 **[(ii)] B.** at weekly intervals; and

7 **[(iii)] C.** within the 40 days after the resolution is adopted; **OR**

8 **2. A. PUBLISHING A FAIR SUMMARY OF THE**
9 **PROPOSED AMENDMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THE**
10 **MUNICIPALITY AT LEAST ONCE; AND**

11 **B. DELIVERING A COPY OF A FAIR SUMMARY OF THE**
12 **PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL ONCE TO EVERY**
13 **RESIDENCE IN THE MUNICIPALITY.**

14 **(2) THE DELIVERY REQUIRED UNDER PARAGRAPH ~~(1)(II)2~~ (1)(II)2B**
15 **OF THIS SUBSECTION MAY BE ACCOMPLISHED BY INCLUDING A FAIR SUMMARY OF**
16 **THE PROPOSED CHARTER AMENDMENT IN A PRINTED NEWSLETTER OR ANY OTHER**
17 **REGULAR MUNICIPAL PUBLICATION.**

18 **(3) THE MUNICIPALITY DELIVERING A COPY OF A FAIR SUMMARY**
19 **UNDER PARAGRAPH (1)(II)2B OF THIS SECTION SHALL:**

20 **(I) MAINTAIN A RECORD OF OR A COPY OF THE RECEIPT FOR**
21 **THE DELIVERY UNDER THE RECORDS RETENTION AND DOCUMENT DISPOSAL**
22 **SCHEDULE OF THE MUNICIPALITY; AND**

23 **(II) MAKE THE RECORD OR COPY AVAILABLE TO THE GENERAL**
24 **PUBLIC IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT.**

25 4-305.

26 **(f) (1)** The chief executive officer of the municipality shall give notice of a
27 submission of a proposed charter amendment by:

28 **[(1)] (i) 1.** posting an exact copy of the proposed amendment at the
29 main municipal building or other public place for at least 4 weeks immediately preceding
30 the referendum at which the question is to be submitted; and

1 [(ii)] 2. on the day of the referendum, posting a similar copy at the
2 place for voting; and

3 [(2)] (II) 1. publishing notice of the referendum and a fair summary of
4 the proposed amendment in a newspaper of general circulation in the municipality at least
5 once in each of the 4 weeks immediately preceding the referendum; OR

6 2. A. PUBLISHING A FAIR SUMMARY OF THE
7 PROPOSED AMENDMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THE
8 MUNICIPALITY AT LEAST ONCE; AND

9 B. DELIVERING A COPY OF A FAIR SUMMARY OF THE
10 PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL TO EVERY
11 RESIDENCE IN THE MUNICIPALITY.

12 (2) THE DELIVERY REQUIRED UNDER PARAGRAPH (1)(II)2 OF THIS
13 SUBSECTION MAY BE ACCOMPLISHED BY INCLUDING A FAIR SUMMARY OF THE
14 PROPOSED CHARTER AMENDMENT IN A PRINTED NEWSLETTER OR ANY OTHER
15 REGULAR MUNICIPAL PUBLICATION.

16 (3) THE MUNICIPALITY DELIVERING A COPY OF A FAIR SUMMARY
17 UNDER PARAGRAPH (1)(II)2B OF THIS SECTION SHALL:

18 (I) MAINTAIN A RECORD OF OR A COPY OF THE RECEIPT FOR
19 THE DELIVERY UNDER THE RECORDS RETENTION AND DOCUMENT DISPOSAL
20 SCHEDULE OF THE MUNICIPALITY; AND

21 (II) MAKE THE RECORD OR COPY AVAILABLE TO THE GENERAL
22 PUBLIC IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.