

SENATE BILL 269

P1

(2lr0836)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government
Operations* —

Introduced by **Senator Kagan**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Open Meetings Act – Application and Enhanced Requirements**
3 **(Maryland State Agency Transparency Act of 2022)**

4 FOR the purpose of repealing exemptions from the Open Meetings Act for certain
5 independent and regional development units; establishing enhanced requirements
6 under the Open Meetings Act for specified public bodies; providing that a project site
7 visit or educational field tour is not a meeting for purposes of the Open Meetings Act
8 for certain public bodies; and generally relating to the Open Meetings Act.

9 BY repealing and reenacting, without amendments,
10 Article – Economic Development
11 Section 10–105(a), 10–401(a) and (c), 10–504(a), 10–604(a), 10–806(a), and 11–402(a)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2021 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
2 Article – Economic Development
3 Section 10–111(a), 10–407, 10–508(b), 10–607(a), 10–814(a) and (b), and 11–408(a)
4 and (b)
5 Annotated Code of Maryland
6 (2018 Replacement Volume and 2021 Supplement)

7 BY repealing and reenacting, without amendments,
8 Article – Education
9 Section 24–501
10 Annotated Code of Maryland
11 (2018 Replacement Volume and 2021 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 24–512(b)(3)
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Election Law
19 Section 2–101(a)
20 Annotated Code of Maryland
21 (2017 Replacement Volume and 2021 Supplement)

22 BY repealing
23 Article – Election Law
24 Section 2–102(d)
25 Annotated Code of Maryland
26 (2017 Replacement Volume and 2021 Supplement)

27 BY adding to
28 Article – Election Law
29 Section 2–102(d)
30 Annotated Code of Maryland
31 (2017 Replacement Volume and 2021 Supplement)

32 BY repealing and reenacting, without amendments,
33 Article – General Provisions
34 Section 3–101(a), (d), and (h)(1), 3–204(a), and 3–501
35 Annotated Code of Maryland
36 (2019 Replacement Volume and 2021 Supplement)

37 BY adding to
38 Article – General Provisions
39 Section 3–307

1 Annotated Code of Maryland
2 (2019 Replacement Volume and 2021 Supplement)

3 BY repealing
4 Article – Natural Resources
5 Section 3–103.4(g)
6 Annotated Code of Maryland
7 (2018 Replacement Volume and 2021 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 3–103.4(h)
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2021 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Public Safety
15 Section 1–305(a)
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2021 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Public Safety
20 Section 1–305(e)
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2021 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article – Public Utilities
25 Section 2–101(a)
26 Annotated Code of Maryland
27 (2020 Replacement Volume and 2021 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article – Public Utilities
30 Section 2–108(b)
31 Annotated Code of Maryland
32 (2020 Replacement Volume and 2021 Supplement)

33 BY repealing and reenacting, without amendments,
34 Article – Transportation
35 Section 4–201
36 Annotated Code of Maryland
37 (2020 Replacement Volume and 2021 Supplement)

38 BY repealing
39 Article – Transportation

1 Section 4–211
 2 Annotated Code of Maryland
 3 (2020 Replacement Volume and 2021 Supplement)

4 BY adding to
 5 Article – Transportation
 6 Section 4–211
 7 Annotated Code of Maryland
 8 (2020 Replacement Volume and 2021 Supplement)

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

11 **Article – Economic Development**

12 10–105.

13 (a) There is a Maryland Economic Development Corporation.

14 10–111.

15 (a) (1) Except as otherwise provided in this section, in exercising its powers,
 16 the Corporation:

17 (i) may carry out its corporate purposes without the consent of any
 18 State unit; and

19 (ii) is not subject to:

20 1. Title 12, Subtitles 1 through 3 of this article;

21 2. the following provisions of the Local Government Article:

22 A. Title 18, Subtitle 1 (Parking Authorities Act); and

23 B. Title 18, Subtitle 2 (Ocean City Convention Center);

24 3. the following provisions of the State Finance and
 25 Procurement Article:

26 A. Title 2, Subtitles 2 (Gifts and Grants), 4 (Water and
 27 Sewerage Systems), and 5 (Facilities for the Handicapped);

28 B. Title 3 (Budget and Management);

29 C. Title 4 (Department of General Services);

1 D. Title 5A (Division of Historical and Cultural Programs);

2 E. Title 6, Subtitle 1 (Studies and Estimates);

3 F. Title 7, Subtitles 1 (State Operating Budget), 2
4 (Disbursements and Expenditures), and 3 (Unspent Balances);

5 G. §§ 8–127, 8–128, and 8–129 (certain restrictions on State
6 general obligation bonds);

7 H. Title 8, Subtitle 1, Part V (State Revenue Anticipation
8 Notes);

9 I. Title 10 (Board of Public Works – Miscellaneous
10 Provisions); and

11 J. Division II (General Procurement Law);

12 4. the following provisions of the State Government Article:

13 A. Title 9, Subtitles 10 (State Archives and Artistic Property)
14 and 17 (Maryland State Employees Surety Bond Committee); and

15 B. Title 11 (Consolidated Procedures for Development
16 Permits); AND

17 5. Article 41 of the Code]; and

18 6. §§ 3–301 and 3–303 of the General Provisions Article
19 (certain open meetings provisions)].

20 (2) **(I)** The Corporation is subject to:

21 ~~(H)~~ **1.** the Public Information Act; AND

22 ~~(H)~~ **2.** THE OPEN MEETINGS ACT.

23 **(II) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT**
24 **SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A**
25 **MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

26 10–401.

27 (a) In this subtitle the following words have the meanings indicated.

28 (c) “Corporation” means the Maryland Technology Development Corporation.

1 10-407.

2 (a) Except as provided in subsections (b), (c), and (e) of this section, the
3 Corporation is exempt from[:

4 (1) Title 10 and Division II of the State Finance and Procurement Article[:
5 and

6 (2) §§ 3-301 and 3-303 of the General Provisions Article].

7 (b) The Corporation is subject to the Public Information Act.

8 (c) The Board, the officers and employees of the Corporation, members of the
9 investment committee, and members of any advisory committee appointed are subject to
10 the Public Ethics Law.

11 (d) The officers and employees of the Corporation are not subject to the provisions
12 of Division I of the State Personnel and Pensions Article that govern the State Personnel
13 Management System.

14 (e) (1) The Corporation, its Board, and employees are subject to Title 12,
15 Subtitle 4 of the State Finance and Procurement Article.

16 (2) The Board, the officers and employees of the Corporation, the members
17 of the investment committee, and the members of any advisory committee appointed shall
18 disclose to the State Ethics Commission whether they are employed by or have a financial
19 interest in an entity that currently has or will apply for funds or an investment in a program
20 administered by the Corporation.

21 **(F) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR**
22 **EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE**
23 **CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

24 10-504.

25 (a) There is a Maryland Agricultural and Resource-Based Industry Development
26 Corporation.

27 10-508.

28 (b) (1) The Corporation is subject to:

29 (I) the Public Information Act; AND

1 **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
2 **OPEN MEETINGS ACT.**

3 (2) [The Corporation is exempt from the Open Meetings Act.] **FOR**
4 **PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL**
5 **FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE ~~BOARD~~**
6 **CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

7 10-604.

8 (a) There is a Maryland Stadium Authority.

9 10-607.

10 (a) ~~[(1)]~~ The Authority shall determine the times and places of its meetings.

11 **[(2)** The Authority shall make publicly available on its website:

12 (i) each open meeting agenda:

13 1. at least 48 hours in advance of each meeting; or

14 2. if the meeting is being held due to an emergency, a natural
15 disaster, or any other unanticipated situation, as far in advance of the meeting as
16 practicable;

17 (ii) meeting minutes from the portions of a meeting that were held
18 in open session, not more than 2 business days after the minutes are approved; and

19 (iii) except as provided in paragraph (3) of this subsection, live video
20 streaming of each portion of a meeting that is held in open session.

21 (3) If the Authority meets by telephone conference, the Authority shall
22 make publicly available on its website live audio streaming of each portion of the meeting
23 that is held in open session.

24 (4) The Authority shall maintain on its website:

25 (i) meeting minutes made available under paragraph (2) of this
26 subsection for a minimum of 5 years after the date of the meeting;

27 (ii) a complete and unedited archived video recording of each open
28 meeting for which live video streaming was made available under paragraph (2) of this
29 subsection for a minimum of 1 year after the date of the meeting; and

(iii) a complete and unedited archived audio recording of each open meeting for which live audio streaming was made available under paragraph (3) of this subsection for a minimum of 1 year after the date of the meeting.]

(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

10-806.

(a) There is a Maryland Clean Energy Center.

10-814.

(a) Except as provided in subsections (b), (c), and (e) of this section, the Center is exempt from[:

(1) Title 10 and Division II of the State Finance and Procurement Article[; and

(2) §§ 3-301 and 3-303 of the General Provisions Article].

(b) **(1)** The Center is subject to:

~~(1)~~ **(I)** the Public Information Act; AND

~~(2)~~ **(II)** THE OPEN MEETINGS ACT.

(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE CENTER IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

11-402.

(a) There is a Bainbridge Development Corporation.

11-408.

(a) Except as otherwise provided in this section, in exercising its corporate powers, the Corporation:

(1) may carry out its corporate purposes without obtaining the consent of any other State unit; and

(2) is not subject to:

1 (i) [§§ 3–301 and 3–303 of the General Provisions Article (Open
2 Meetings);

3 (ii)] Title 11 of the State Government Article (Consolidated
4 Procedures for Development Permits); and

5 [(iii)] (II) the following provisions of the State Finance and
6 Procurement Article:

7 1. Title 2, Subtitles 2 (Gifts and Grants), 4 (Facsimile
8 Signatures and Seals), and 5 (Facilities for Handicapped);

9 2. Title 3 (Budget and Management);

10 3. Title 4 (Department of General Services);

11 4. § 5A–304 (Maryland Historical Trust Property
12 Acquisition);

13 5. Title 6, Subtitle 1 (Revenues: Studies and Estimates);

14 6. Title 7, Subtitles 1 (State Operating Budget), 2
15 (Disbursements and Expenditures), and 3 (Unspent Balances);

16 7. Title 8, Subtitle 1 (General Obligation Debt);

17 8. Title 10 (Board of Public Works – Miscellaneous
18 Provisions); and

19 9. Division II (General Procurement Law).

20 (b) **(1)** The Corporation is subject to:

21 ~~(1)~~ **(1)** the Public Information Act; AND

22 ~~(2)~~ **(II)** THE OPEN MEETINGS ACT.

23 **(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE**
24 **VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING**
25 **OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

26 **Article – Education**

27 24–501.

28 There is a Historic St. Mary's City Commission.

1 24-512.

2 (b) (3) The Commission and its officers and employees are subject [to the
3 Public Ethics Law, the Public Information Act, and the Open Meetings Law] TO:

4 (i) THE MARYLAND PUBLIC ETHICS LAW ESTABLISHED IN
5 TITLE 5 OF THE GENERAL PROVISIONS ARTICLE;

6 (ii) THE PUBLIC INFORMATION ACT ESTABLISHED IN TITLE 4
7 OF THE GENERAL PROVISIONS ARTICLE; AND

8 (iii) THE OPEN MEETINGS ACT ESTABLISHED IN TITLE 3 OF THE
9 GENERAL PROVISIONS ARTICLE.

10 **Article – Election Law**

11 2-101.

12 (a) There is a State Board of Elections consisting of five members.

13 2-102.

14 [(d) (1) The State Board shall make publicly available on its website:

15 (i) each open meeting agenda:

16 1. at least 48 hours in advance of each meeting; or

17 2. if the meeting is being held due to an emergency, a natural
18 disaster, or any other unanticipated situation, as far in advance of the meeting as
19 practicable;

20 (ii) meeting minutes from the portions of a meeting that were held
21 in open session, not more than 2 business days after the minutes are approved; and

22 (iii) live video streaming of each portion of a meeting that is held in
23 open session.

24 (2) The State Board shall maintain on its website:

25 (i) meeting minutes made available under paragraph (1)(ii) of this
26 subsection for a minimum of 5 years after the date of the meeting; and

1 (ii) a complete and unedited archived video recording of each open
2 meeting for which live video streaming was made available under paragraph (1)(iii) of this
3 subsection for a minimum of 1 year after the date of the meeting.

4 (3) The Department of Information Technology shall provide to the State
5 Board the technical staff, support, and equipment necessary to stream live video of the open
6 meetings of the State Board.]

7 **(D) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR**
8 **EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE**
9 **STATE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

10 Article – General Provisions

11 3–101.

12 (a) In this title the following words have the meanings indicated.

13 (d) “Board” means the State Open Meetings Law Compliance Board.

14 (h) (1) “Public body” means an entity that:

15 (i) consists of at least two individuals; and

16 (ii) is created by:

17 1. the Maryland Constitution;

18 2. a State statute;

19 3. a county or municipal charter;

20 4. a memorandum of understanding or a master agreement
21 to which a majority of the county boards of education and the State Department of
22 Education are signatories;

23 5. an ordinance;

24 6. a rule, resolution, or bylaw;

25 7. an executive order of the Governor; or

26 8. an executive order of the chief executive authority of a
27 political subdivision of the State.

28 3–204.

1 (a) The Board shall:

2 (1) receive, review, and, subject to § 3-207 of this subtitle, resolve
3 complaints from any person alleging a violation of this title; and

4 (2) issue a written opinion as to whether a violation has occurred.

5 **3-307.**

6 (A) THIS SECTION APPLIES ONLY TO THE FOLLOWING PUBLIC BODIES:

7 (1) THE BOARD OF DIRECTORS OF THE BAINBRIDGE DEVELOPMENT
8 CORPORATION;

9 (2) THE CANAL PLACE PRESERVATION AND DEVELOPMENT
10 AUTHORITY;

11 (3) THE MARYLAND 9-1-1 BOARD;

12 (4) THE BOARD OF DIRECTORS OF THE MARYLAND AGRICULTURAL
13 AND RESOURCE-BASED INDUSTRY CORPORATION;

14 ~~(5) THE BOARD OF TRUSTEES OF THE MARYLAND AUTOMOBILE~~
15 ~~INSURANCE FUND;~~

16 ~~(6)~~ (5) THE BOARD OF DIRECTORS OF THE MARYLAND CLEAN
17 ENERGY CENTER;

18 ~~(7)~~ (6) THE BOARD OF DIRECTORS OF THE MARYLAND ECONOMIC
19 DEVELOPMENT CORPORATION;

20 ~~(8)~~ (7) THE BOARD OF DIRECTORS OF THE MARYLAND
21 ENVIRONMENTAL SERVICE;

22 ~~(9)~~ (8) THE MARYLAND FOOD CENTER AUTHORITY;

23 ~~(10)~~ (9) THE MARYLAND HEALTH AND HIGHER EDUCATIONAL
24 FACILITIES AUTHORITY;

25 ~~(11)~~ (10) THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING
26 AUTHORITY;

27 ~~(12)~~ (11) THE MARYLAND STADIUM AUTHORITY;

- 1 ~~(13)~~ (12) THE MARYLAND TRANSPORTATION AUTHORITY;
- 2 ~~(14)~~ (13) THE NORTHEAST MARYLAND WASTE DISPOSAL
3 AUTHORITY;
- 4 ~~(15)~~ (14) THE PUBLIC SERVICE COMMISSION; ~~AND~~
- 5 ~~(16)~~ (15) THE STATE BOARD OF ELECTIONS; ~~AND~~
- 6 (16) THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION;
7 AND
- 8 (17) THE HISTORIC ST. MARY'S CITY COMMISSION.

9 (B) A PUBLIC BODY SPECIFIED IN SUBSECTION (A) OF THIS SECTION SHALL
10 MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:

11 ~~(1) EACH OPEN MEETING AGENDA, TOGETHER WITH ANY~~
12 ~~DOCUMENTS, TESTIMONY, MINUTES FROM PREVIOUS MEETINGS, AND OTHER~~
13 ~~MATERIALS THAT WILL BE CONSIDERED AT THE OPEN MEETING;~~

14 (1) EACH OPEN MEETING AGENDA, TOGETHER WITH A SUMMARY OF
15 ANY FINALIZED DOCUMENTS, WRITTEN TESTIMONY FROM THE PUBLIC, AND OTHER
16 MATERIALS THAT THE PUBLIC BODY WILL VOTE ON AT THE OPEN MEETING;

17 (I) AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING; OR

18 (II) IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A
19 NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN
20 ADVANCE OF THE MEETING AS PRACTICABLE;

21 (2) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT
22 WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE
23 MINUTES ARE APPROVED; AND

24 (3) SUBJECT TO SUBSECTIONS (F) AND (G) OF THIS SECTION, LIVE
25 VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN
26 SESSION.

27 (C) TO THE EXTENT PRACTICABLE, EACH OPEN MEETING AGENDA SHALL
28 INDICATE:

29 (1) WHETHER THE PUBLIC BODY INTENDS TO ADJOURN THE OPEN
30 SESSION TO A CLOSED SESSION; AND

1 **(2) IF APPLICABLE, THE EXPECTED TIME AT WHICH THE PUBLIC BODY**
2 **INTENDS TO ADJOURN THE OPEN SESSION TO A CLOSED SESSION.**

3 **(D) (1) THE PUBLIC BODY SHALL APPROVE MEETING MINUTES IN A**
4 **TIMELY MANNER.**

5 **(2) EACH OPEN MEETING AGENDA SHALL INCLUDE CONSIDERATION**
6 **OF THE MEETING MINUTES FROM THE MOST RECENT MEETING.**

7 **(3) THE REQUIREMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION**
8 **DOES NOT APPLY TO THE AGENDA OF AN EMERGENCY MEETING OF A PUBLIC BODY IF**
9 **CONSIDERATION OF THE MEETING MINUTES FROM THE MOST RECENT MEETING IS**
10 **NOT PRACTICABLE BECAUSE OF THE NEED TO HOLD AN EMERGENCY MEETING.**

11 **(E) THE PUBLIC BODY SHALL MAINTAIN ON ITS WEBSITE:**

12 **(1) MEETING MINUTES MADE AVAILABLE UNDER SUBSECTION (B) OF**
13 **THIS SECTION FOR A MINIMUM OF 5 YEARS AFTER THE DATE OF THE MEETING; AND**

14 **(2) EXCEPT AS PROVIDED IN SUBSECTIONS (F) AND (G) OF THIS**
15 **SECTION, A COMPLETE AND UNEDITED ARCHIVED VIDEO RECORDING OF EACH OPEN**
16 **MEETING FOR WHICH LIVE VIDEO STREAMING WAS MADE AVAILABLE UNDER**
17 **SUBSECTION (B) OF THIS SECTION FOR A MINIMUM OF 1 YEAR AFTER THE DATE OF**
18 **THE MEETING.**

19 **(F) (1) THIS SUBSECTION APPLIES ONLY TO THE MARYLAND STADIUM**
20 **AUTHORITY.**

21 **(2) IF THE MARYLAND STADIUM AUTHORITY MEETS BY TELEPHONE**
22 **CONFERENCE, THE AUTHORITY SHALL:**

23 **(I) MAKE PUBLICLY AVAILABLE ON ITS WEBSITE LIVE AUDIO**
24 **STREAMING OF EACH PORTION OF THE MEETING THAT IS HELD IN OPEN SESSION;**
25 **AND**

26 **(II) MAINTAIN ON ITS WEBSITE A COMPLETE AND UNEDITED**
27 **ARCHIVED AUDIO RECORDING OF EACH MEETING FOR WHICH LIVE AUDIO**
28 **STREAMING WAS MADE AVAILABLE FOR A MINIMUM OF 1 YEAR AFTER THE DATE OF**
29 **THE MEETING.**

30 **(G) (1) THIS SUBSECTION APPLIES ONLY TO THE MARYLAND**
31 **TRANSPORTATION AUTHORITY.**

1 **(2) THE MARYLAND TRANSPORTATION AUTHORITY IS REQUIRED TO**
 2 **PROVIDE LIVE VIDEO STREAMING OF A MEETING ONLY IF THE MEETING IS HELD AT:**

3 **(I) THE HEADQUARTERS OF THE MARYLAND**
 4 **TRANSPORTATION AUTHORITY; OR**

5 **(II) A LOCATION WHERE THE MARYLAND TRANSPORTATION**
 6 **AUTHORITY HELD AT LEAST 10 MEETINGS DURING THE IMMEDIATELY PRECEDING**
 7 **CALENDAR YEAR.**

8 **(H) THE DEPARTMENT OF INFORMATION TECHNOLOGY SHALL PROVIDE**
 9 **THE TECHNICAL STAFF, SUPPORT, AND EQUIPMENT NECESSARY TO LIVESTREAM**
 10 **THE OPEN MEETINGS OF:**

11 **(1) THE MARYLAND TRANSPORTATION AUTHORITY; AND**

12 **(2) THE STATE BOARD OF ELECTIONS.**

13 **(I) FOR PURPOSES OF THIS TITLE, A PROJECT SITE VISIT OR EDUCATIONAL**
 14 **FIELD TOUR MAY NOT BE CONSIDERED A MEETING OF A PUBLIC BODY LISTED UNDER**
 15 **SUBSECTION (A) OF THIS SECTION IF NO ORGANIZATIONAL BUSINESS IS**
 16 **CONDUCTED.**

17 **(J) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PREVENT A PUBLIC**
 18 **BODY FROM ALTERING THE AGENDA OF A MEETING AFTER THE AGENDA HAS BEEN**
 19 **MADE AVAILABLE TO THE PUBLIC.**

20 ~~**(H)**~~ **(K)** **THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THE**
 21 **OTHER REQUIREMENTS OF THIS SUBTITLE.**

22 3-501.

23 This title may be cited as the Open Meetings Act.

24 **Article – Natural Resources**

25 3-103.4.

26 **[(g) (1) The Board shall make publicly available on the Service’s website:**

27 **(i) Each open meeting agenda:**

28 **1. At least 48 hours in advance of each meeting; or**

1 (3) The Board shall maintain on its website:

2 (i) meeting minutes made available under paragraph (2) of this
3 subsection for a minimum of 5 years after the date of the meeting; and

4 (ii) a complete and unedited archived video recording of each open
5 meeting for which live video streaming was made available under paragraph (2) of this
6 subsection for a minimum of 1 year after the date of the meeting.]

7 **(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE**
8 **VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING**
9 **OF THE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

10 Article – Public Utilities

11 2–101.

12 (a) There is a Public Service Commission.

13 2–108.

14 (b) ~~¶(1)¶~~ The Commission shall meet at the times and places in the State as the
15 Commission considers necessary.

16 **[(2)** The Commission shall make publicly available on its website:

17 (i) each open meeting agenda:

18 1. at least 48 hours in advance of each meeting; or

19 2. if the meeting is being held due to an emergency, a natural
20 disaster, or any other unanticipated situation, as far in advance of the meeting as
21 practicable;

22 (ii) meeting minutes from the portions of a meeting that were held
23 in open session, not more than 2 business days after the minutes are approved; and

24 (iii) live video streaming of each portion of a meeting that is held in
25 open session.

26 (3) The Commission shall maintain on its website:

27 (i) meeting minutes made available under paragraph (2) of this
28 subsection for a minimum of 5 years after the date of the meeting; and

1 (ii) a complete and unedited archived video recording of each open
2 meeting for which live video streaming was made available under paragraph (2) of this
3 subsection for a minimum of 1 year after the date of the meeting.]

4 **(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE**
5 **VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING**
6 **OF THE COMMISSION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

7 **Article – Transportation**

8 4–201.

9 There is a Maryland Transportation Authority.

10 [4–211.

11 (a) The Authority shall make publicly available on its website:

12 (1) Each open meeting agenda:

13 (i) At least 48 hours in advance of each meeting; or

14 (ii) If the meeting is being held due to an emergency, a natural
15 disaster, or any other unanticipated situation, as far in advance of the meeting as
16 practicable;

17 (2) Meeting minutes from the portions of a meeting that were held in open
18 session, not more than 2 business days after the minutes are approved;

19 (3) Live video streaming of each open meeting of the Authority that is held
20 at:

21 (i) The headquarters of the Authority; or

22 (ii) Any other location where the Authority held at least 10 meetings
23 during the immediately preceding calendar year; and

24 (4) A complete and unedited archived video recording of each open meeting
25 for which live video streaming was made available under item (3) of this subsection for a
26 minimum of 5 years after the date of the meeting.

27 (b) The Department of Information Technology shall provide to the Authority the
28 technical staff, support, and equipment necessary to livestream the open meetings of the
29 Authority.]

30 **4–211.**

1 FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR
2 EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE
3 AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

4 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
5 Assembly that the requirement for publication of documents, testimony from the public,
6 and other materials in advance of an open meeting in accordance with § 3-307 of the
7 General Provisions Article, as enacted by Section 1 of this Act, may not be construed to:

8 (1) limit the discussions and deliberations of the public body to matters
9 referenced in the materials published prior to the meeting; or

10 (2) require the disclosure of documents or material that would be exempt
11 from public inspection under Title 4 of the General Provisions Article.

12 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.