

HOUSE BILL 104

L3

(3lr0522)

ENROLLED BILL

— *Environment and Transportation/Education, Energy, and the Environment* —

Introduced by **Delegate Solomon**

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.

Speaker.

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 2022 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 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Local Government**

4 4–304.

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

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

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

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

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

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

14 2. A. PUBLISHING A FAIR SUMMARY OF THE
15 PROPOSED AMENDMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THE
16 MUNICIPALITY AT LEAST ONCE; AND

17 B. DELIVERING A COPY OF A FAIR SUMMARY OF THE
18 PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL ONCE TO EVERY
19 RESIDENCE IN THE MUNICIPALITY.

20 (2) THE DELIVERY REQUIRED UNDER PARAGRAPH (1)(II)2B OF THIS
21 SUBSECTION MAY BE ACCOMPLISHED BY INCLUDING A FAIR SUMMARY OF THE
22 PROPOSED CHARTER AMENDMENT IN A PRINTED NEWSLETTER OR ANY OTHER
23 REGULAR MUNICIPAL PUBLICATION.

24 (3) THE MUNICIPALITY DELIVERING A COPY OF A FAIR SUMMARY
25 UNDER PARAGRAPH (1)(II)2B OF THIS SUBSECTION SHALL:

26 (I) MAINTAIN A RECORD OF OR A COPY OF THE RECEIPT FOR
27 THE DELIVERY UNDER THE RECORDS RETENTION AND DOCUMENT DISPOSAL
28 SCHEDULE OF THE MUNICIPALITY; AND

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

1 4-305.

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

4 [(1)] (i) 1. posting an exact copy of the proposed amendment at the
5 main municipal building or other public place for at least ~~4 weeks~~ **40 DAYS** immediately
6 preceding the referendum at which the question is to be submitted; and

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

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

12 2. **A. PUBLISHING A FAIR SUMMARY OF THE**
13 **PROPOSED AMENDMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THE**
14 **MUNICIPALITY AT LEAST ONCE; AND**

15 **B. DELIVERING A COPY OF A FAIR SUMMARY OF THE**
16 **PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL TO EVERY**
17 **RESIDENCE IN THE MUNICIPALITY.**

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

22 (3) **THE MUNICIPALITY DELIVERING A COPY OF A FAIR SUMMARY**
23 **UNDER PARAGRAPH (1)(II)2B OF THIS SUBSECTION SHALL:**

24 (I) **MAINTAIN A RECORD OF OR A COPY OF THE RECEIPT FOR**
25 **THE DELIVERY UNDER THE RECORDS RETENTION AND DOCUMENT DISPOSAL**
26 **SCHEDULE OF THE MUNICIPALITY; AND**

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

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2023.