

SENATE BILL 328

P3

3lr1635
CF 3lr1114

By: Senator Hettleman

Introduced and read first time: January 27, 2023

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Public Works Public Comment Act**

3 FOR the purpose of requiring the Board of Public Works, for meetings held on or after a
4 certain date, to allow members of the public to submit certain public comments
5 electronically except under certain circumstances; requiring public comments to be
6 included in certain meeting materials and posted and retained online; requiring an
7 additional staff position at the Board to carry out certain requirements; and
8 generally relating to public comments and the Board of Public Works.

9 BY adding to

10 Article – State Finance and Procurement
11 Section 10–207
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2022 Supplement)

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

16 **Article – State Finance and Procurement**

17 **10–207.**

18 (A) FOR EACH MEETING OF THE BOARD HELD ON OR AFTER OCTOBER 1,
19 2024, BEGINNING ON THE DATE THE BOARD MAKES THE MEETING AGENDA
20 AVAILABLE TO THE PUBLIC, INCLUDING ANY UPDATES TO THE AGENDA, THE BOARD
21 SHALL ALLOW MEMBERS OF THE PUBLIC TO ELECTRONICALLY SUBMIT PUBLIC
22 COMMENTS ON AGENDA ITEMS.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) PUBLIC COMMENTS SUBMITTED UNDER SUBSECTION (A) OF THIS**
2 **SECTION OR THAT ARE OTHERWISE RECEIVED BY THE BOARD BY ELECTRONIC OR**
3 **REGULAR MAIL AND RELATE TO A BOARD AGENDA ITEM SHALL:**

4 **(1) BE INCLUDED IN EACH MEETING PACKET PREPARED FOR**
5 **MEMBERS OF THE BOARD;**

6 **(2) BE POSTED ONLINE AT LEAST 24 HOURS IN ADVANCE OF THE**
7 **MEETING, OR AS SOON AS PRACTICABLE AFTER THE PUBLIC COMMENT IS RECEIVED;**
8 **AND**

9 **(3) BE RETAINED ONLINE THROUGH THE BOARD'S PUBLIC WEBSITE.**

10 **(C) ANY BOARD DISCUSSION ITEMS THAT ARE NOT SUBJECT TO INCLUSION**
11 **IN A PUBLIC AGENDA UNDER § 3-302.1 OF THE GENERAL PROVISIONS ARTICLE ARE**
12 **NOT SUBJECT TO PUBLIC COMMENT UNDER THIS SECTION.**

13 **(D) TO CARRY OUT THE REQUIREMENTS OF THIS SECTION, THE BOARD**
14 **SHALL EMPLOY AT LEAST ONE MORE STAFF POSITION THAN THE NUMBER OF**
15 **POSITIONS AUTHORIZED IN FISCAL YEAR 2023.**

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