

# SENATE BILL 328

P3

3lr1635  
CF HB 498

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By: **Senator Hettleman**

Introduced and read first time: January 27, 2023

Assigned to: Budget and Taxation

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 17, 2023

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## CHAPTER \_\_\_\_\_

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**

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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 SHALL ALLOW MEMBERS OF THE PUBLIC TO ELECTRONICALLY SUBMIT PUBLIC  
2 COMMENTS ON AGENDA ITEMS.

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

6 (1) BE INCLUDED IN EACH MEETING PACKET PREPARED FOR  
7 MEMBERS OF THE BOARD;

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

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.