

SENATE BILL 99

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(PRE-FILED)

6lr0668
CF HB 154

By: **Senator Kagan**

Requested: August 1, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 14, 2026

CHAPTER _____

1 AN ACT concerning

2 **Open Meetings Act – County Boards of Education – Enhanced Requirements**
3 **(Local Boards of Education Transparency Act)**

4 FOR the purpose of establishing enhanced requirements under the Open Meetings Act for
5 county boards of education and the Baltimore City Board of School Commissioners;
6 and generally relating to the Open Meetings Act and county boards of education.

7 BY repealing and reenacting, without amendments,

8 Article – Education

9 Section 4–107(b) and (c)

10 Annotated Code of Maryland

11 (2025 Replacement Volume and 2025 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Education

14 Section 4–107(d)

15 Annotated Code of Maryland

16 (2025 Replacement Volume and 2025 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – General Provisions

19 Section 3–101(a) and (h)(1) and 3–105

20 Annotated Code of Maryland

21 (2019 Replacement Volume and 2025 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.



1 BY repealing and reenacting, with amendments,
 2 Article – General Provisions
 3 Section 3–307
 4 Annotated Code of Maryland
 5 (2019 Replacement Volume and 2025 Supplement)

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

8 **Article – Education**

9 4–107.

10 (b) A county board may hold any other meetings that its duties and business
 11 require.

12 (c) Except as provided in Title 3 of this article, each county board, at its annual
 13 meeting, shall elect a president and a vice president from among its members by means of
 14 an individually recorded vote.

15 (d) (1) **(I)** All final actions of a county board shall be taken at a public
 16 meeting.

17 **(II)** The **AGENDA**, minutes of [the] A meeting, **AND LIVE VIDEO**
 18 **STREAMING OF EACH PORTION OF A MEETING HELD IN OPEN SESSION** shall be
 19 **PUBLICLY** available [to the public] **ON THE COUNTY BOARD’S WEBSITE IN**
 20 **ACCORDANCE WITH § 3–307 OF THE GENERAL PROVISIONS ARTICLE.**

21 (2) A county board may meet and deliberate in executive session if the
 22 matter under consideration is:

23 (i) Land and site acquisitions; or

24 (ii) Personnel and labor relations.

25 **Article – General Provisions**

26 3–101.

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

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

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

30 (ii) is created by:

- 1 1. the Maryland Constitution;
- 2 2. a State statute;
- 3 3. a county or municipal charter;
- 4 4. a memorandum of understanding or a master agreement
5 to which a majority of the county boards of education and the State Department of
6 Education are signatories;
- 7 5. an ordinance;
- 8 6. a rule, resolution, or bylaw;
- 9 7. an executive order of the Governor; or
- 10 8. an executive order of the chief executive authority of a
11 political subdivision of the State.

12 3–105.

13 Whenever this title and another law that relates to meetings of public bodies conflict,
14 this title applies unless the other law is more stringent.

15 3–307.

16 (a) This section applies only to the following public bodies:

- 17 (1) the Board of Directors of the Bainbridge Development Corporation;
- 18 (2) the Canal Place Preservation and Development Authority;
- 19 (3) the Maryland 9–1–1 Board;
- 20 (4) the Board of Directors of the Maryland Agricultural and
21 Resource–Based Industry Corporation;
- 22 (5) the Board of Directors of the Maryland Clean Energy Center;
- 23 (6) the Board of Directors of the Maryland Economic Development
24 Corporation;
- 25 (7) the Board of Directors of the Maryland Environmental Service;
- 26 (8) the Maryland Food Center Authority;

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1 (9) the Maryland Health and Higher Educational Facilities Authority;

2 (10) the Maryland Industrial Development Financing Authority;

3 (11) the Maryland Stadium Authority;

4 (12) the Maryland Transportation Authority;

5 (13) the Northeast Maryland Waste Disposal Authority;

6 (14) the Public Service Commission;

7 (15) the State Board of Elections;

8 (16) the Maryland Technology Development Corporation;

9 (17) the Historic St. Mary's City Commission;

10 (18) the State Ethics Commission;

11 (19) the Maryland Aviation Commission; [and]

12 (20) the Maryland Department of Transportation, with respect to quarterly
13 public meetings held by the Vision Zero coordinator on the implementation of Vision Zero
14 under § 8–1004 of the Transportation Article; AND

15 **(21) A COUNTY BOARD OF EDUCATION AND THE BALTIMORE CITY**
16 **BOARD OF SCHOOL COMMISSIONERS.**

17 (b) A public body specified in subsection (a) of this section shall make publicly
18 available on its website:

19 (1) each open meeting agenda, together with a summary of any finalized
20 documents, written testimony from the public, and other materials that the public body
21 will vote on at the open meeting:

22 (i) at least 48 hours in advance of each meeting; or

23 (ii) if the meeting is being held due to an emergency, a natural
24 disaster, or any other unanticipated situation, as far in advance of the meeting as
25 practicable;

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

1 (3) subject to subsections (f) [and], (g), AND (I) of this section, live video
2 streaming of each portion of a meeting that is held in open session.

3 (c) To the extent practicable, each open meeting agenda shall indicate:

4 (1) whether the public body intends to adjourn the open session to a closed
5 session; and

6 (2) if applicable, the expected time at which the public body intends to
7 adjourn the open session to a closed session.

8 (d) (1) The public body shall approve meeting minutes in a timely manner.

9 (2) Each open meeting agenda shall include consideration of the meeting
10 minutes from the most recent meeting.

11 (3) The requirement under paragraph (2) of this subsection does not apply
12 to the agenda of an emergency meeting of a public body if consideration of the meeting
13 minutes from the most recent meeting is not practicable because of the need to hold an
14 emergency meeting.

15 (e) The public body shall maintain on its website:

16 (1) meeting minutes made available under subsection (b) of this section for
17 a minimum of 5 years after the date of the meeting; and

18 (2) except as provided in subsections (f), (g), (H), and [(g-1)] (I) of this
19 section, a complete and unedited archived video recording of each open meeting for which
20 live video streaming was made available under subsection (b) of this section for a minimum
21 of 1 year after the date of the meeting.

22 (f) (1) This subsection applies only to the Maryland Stadium Authority.

23 (2) If the Maryland Stadium Authority meets by telephone conference, the
24 Authority shall:

25 (i) make publicly available on its website live audio streaming of
26 each portion of the meeting that is held in open session; and

27 (ii) maintain on its website a complete and unedited archived audio
28 recording of each meeting for which live audio streaming was made available for a
29 minimum of 1 year after the date of the meeting.

30 (g) (1) This subsection applies only to the Maryland Transportation Authority.

31 (2) The Maryland Transportation Authority is required to provide live
32 video streaming of a meeting only if the meeting is held at:

1 (i) the headquarters of the Maryland Transportation Authority; or

2 (ii) a location where the Maryland Transportation Authority held at
3 least 10 meetings during the immediately preceding calendar year.

4 [(g-1)] (H) The Maryland Department of Transportation, with respect to quarterly
5 public meetings held by the Vision Zero coordinator on the implementation of Vision Zero
6 under § 8-1004 of the Transportation Article, shall maintain on its website a complete and
7 unedited archived video recording of the meeting for a minimum of 5 years after the date
8 of the meeting.

9 (I) (1) A COUNTY BOARD OF EDUCATION AND THE BALTIMORE CITY
10 BOARD OF SCHOOL COMMISSIONERS SHALL PROVIDE LIVE VIDEO STREAMING OF
11 AN OPEN MEETING IF THE MEETING IS HELD AT:

12 (I) THE HEADQUARTERS OF A COUNTY BOARD OR THE
13 BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS; OR

14 (II) A LOCATION WHERE A COUNTY BOARD OR THE BALTIMORE
15 CITY BOARD OF SCHOOL COMMISSIONERS HELD AT LEAST FIVE MEETINGS DURING
16 THE IMMEDIATELY PRECEDING CALENDAR YEAR.

17 (2) (I) A COUNTY BOARD OF EDUCATION AND THE BALTIMORE
18 CITY BOARD OF SCHOOL COMMISSIONERS SHALL MAINTAIN ON ITS WEBSITE ~~A~~
19 ~~COMPLETE AND UNEDITED~~ AN ARCHIVED VIDEO RECORDING OF EACH OPEN
20 MEETING FOR WHICH LIVE VIDEO STREAMING WAS MADE AVAILABLE UNDER
21 SUBSECTION (B) OF THIS SECTION FOR A MINIMUM OF 5 YEARS AFTER THE DATE OF
22 THE MEETING.

23 (II) 1. A SUBJECT TO ITEM 2 OF THIS SUBPARAGRAPH, A
24 COUNTY BOARD AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS
25 MAY EDIT AN ARCHIVED VIDEO RECORDING THAT IS REQUIRED TO BE MAINTAINED
26 UNDER THIS SECTION TO REMOVE CONTENT FROM THE RECORDING THAT
27 INVOLVES:

28 1. A. A PORNOGRAPHIC OR OBSCENE EVENT; OR

29 2. B. AN INSTANCE WHEN A STUDENT'S PRIVACY IS
30 VIOLATED.

31 2. A PORNOGRAPHIC OR OBSCENE EVENT UNDER ITEM 1
32 OF THIS SUBPARAGRAPH DOES NOT INCLUDE AN INDIVIDUAL READING FROM:

33 A. SCHOOL-PROVIDED MATERIALS; OR

1 **B. READING MATERIALS MADE AVAILABLE TO A**
2 **STUDENT.**

3 **(III) IF A COUNTY BOARD OR THE BALTIMORE CITY BOARD OF**
4 **SCHOOL COMMISSIONERS EDITS A RECORDING UNDER SUBPARAGRAPH (II) OF THIS**
5 **PARAGRAPH, THE COUNTY BOARD OR THE BALTIMORE CITY BOARD OF SCHOOL**
6 **COMMISSIONERS SHALL NOTIFY THE OPEN MEETINGS LAW COMPLIANCE BOARD.**

7 **(3) A COUNTY BOARD OR THE BALTIMORE CITY BOARD OF SCHOOL**
8 **COMMISSIONERS MAY USE A THIRD-PARTY PROVIDER TO VIEW AND STORE**
9 **RECORDED VIDEO FOOTAGE.**

10 **[(h)] (J)** The Department of Information Technology shall provide the technical
11 staff, support, and equipment necessary to livestream the open meetings of:

12 (1) the Maryland Transportation Authority;

13 (2) the State Board of Elections; and

14 (3) the State Ethics Commission.

15 **[(i)] (K)** For purposes of this title, a project site visit or educational field tour
16 may not be considered a meeting of a public body listed under subsection (a) of this section
17 if no organizational business is conducted.

18 **[(j)] (L)** Nothing in this section may be construed to prevent a public body from
19 altering the agenda of a meeting after the agenda has been made available to the public.

20 **[(k)] (M)** The requirements of this section are in addition to the other
21 requirements of this subtitle.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2026.