

# SENATE BILL 363

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CF HB 421

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By: **Senators Kagan, Beidle, Benson, Carter, Cassilly, Eckardt, Elfreth, Ellis, Feldman, Hester, Hough, Jennings, Lam, Lee, McCray, Miller, Patterson, Pinsky, Ready, Reilly, Smith, Washington, West, and Young**

Introduced and read first time: January 24, 2020

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

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

5 FOR the purpose of providing that the Maryland Technology Development Corporation is  
6 subject to the Open Meetings Act; requiring certain State agencies to make publicly  
7 available on their websites open meeting agendas a certain amount of time in  
8 advance of each meeting or, under certain circumstances, as far in advance of the  
9 meeting as practicable; requiring certain State agencies to post on their websites  
10 certain meeting minutes not more than a certain number of days after the minutes  
11 are approved; requiring certain State agencies to make publicly available live video  
12 streaming of each portion of a certain meeting; requiring the Maryland Stadium  
13 Authority, under certain circumstances, to make publicly available live audio  
14 streaming of each portion of a certain meeting; altering the requirements regarding  
15 minutes of and the posting of information regarding meetings of the State Board of  
16 Elections; making conforming and technical changes; and generally relating to open  
17 meetings of State agencies.

18 BY repealing and reenacting, without amendments,  
19 Article – Economic Development  
20 Section 10–402(a) and 10–604(a)  
21 Annotated Code of Maryland  
22 (2018 Replacement Volume and 2019 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article – Economic Development  
25 Section 10–407(a) and 10–607(a)  
26 Annotated Code of Maryland  
27 (2018 Replacement Volume and 2019 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 BY adding to  
2 Article – Economic Development  
3 Section 10–407(f)  
4 Annotated Code of Maryland  
5 (2018 Replacement Volume and 2019 Supplement)
- 6 BY repealing and reenacting, without amendments,  
7 Article – Election Law  
8 Section 2–101(a)  
9 Annotated Code of Maryland  
10 (2017 Replacement Volume and 2019 Supplement)
- 11 BY repealing and reenacting, with amendments,  
12 Article – Election Law  
13 Section 2–102(d)  
14 Annotated Code of Maryland  
15 (2017 Replacement Volume and 2019 Supplement)
- 16 BY repealing and reenacting, without amendments,  
17 Article – Public Safety  
18 Section 1–305(a)  
19 Annotated Code of Maryland  
20 (2018 Replacement Volume and 2019 Supplement)
- 21 BY repealing and reenacting, with amendments,  
22 Article – Public Safety  
23 Section 1–305(e)  
24 Annotated Code of Maryland  
25 (2018 Replacement Volume and 2019 Supplement)
- 26 BY repealing and reenacting, without amendments,  
27 Article – Public Utilities  
28 Section 2–101(a)  
29 Annotated Code of Maryland  
30 (2010 Replacement Volume and 2019 Supplement)
- 31 BY repealing and reenacting, with amendments,  
32 Article – Public Utilities  
33 Section 2–108(b)  
34 Annotated Code of Maryland  
35 (2010 Replacement Volume and 2019 Supplement)
- 36 BY repealing and reenacting, without amendments,  
37 Article – Transportation  
38 Section 4–201  
39 Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)

BY adding to

Article – Transportation

Section 4–211

Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)

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

**Article – Economic Development**

10–402.

(a) There is a Maryland Technology Development Corporation.

10–407.

(a) Except as provided in [subsections (b), (c), and (e)] **SUBSECTION (E)** of this section, the Corporation 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].

**(F) (1) THE CORPORATION IS SUBJECT TO THE OPEN MEETINGS ACT.**

**(2) THE CORPORATION SHALL MAKE PUBLICLY AVAILABLE ON ITS  
WEBSITE:**

**(I) EACH OPEN MEETING AGENDA:**

**1. AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING;  
OR**

**2. IF THE MEETING IS BEING HELD DUE TO AN  
EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS  
FAR IN ADVANCE OF THE MEETING AS PRACTICABLE; AND**

**(II) MEETING MINUTES FROM THE PORTIONS OF A MEETING  
THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE  
MINUTES ARE APPROVED.**

**(3) THE CORPORATION SHALL MAKE PUBLICLY AVAILABLE LIVE VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.**

10-604.

(a) There is a Maryland Stadium Authority.

10-607.

(a) **(1)** The Authority shall determine the times and places of its meetings.

**(2) THE AUTHORITY SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:**

**(I) EACH OPEN MEETING AGENDA:**

**1. AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING;**

**OR**

**2. IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN ADVANCE OF THE MEETING AS PRACTICABLE; AND**

**(II) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE MINUTES ARE APPROVED.**

**(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE AUTHORITY SHALL MAKE PUBLICLY AVAILABLE LIVE VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.**

**(II) IF THE AUTHORITY MEETS BY TELEPHONE CONFERENCE, THE AUTHORITY SHALL MAKE PUBLICLY AVAILABLE LIVE AUDIO STREAMING OF EACH PORTION OF THE MEETING THAT IS HELD IN OPEN SESSION.**

#### **Article – Election Law**

2-101.

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

2-102.

(d) **[(1)** The State Board shall prepare written minutes of each meeting of the

1 State Board as soon as practicable after the meeting.

2 (2) The State Board, in consultation with the Department of Information  
3 Technology, shall make publicly available on the Internet:

4 (i) each meeting agenda, made available at least 24 hours in  
5 advance of each meeting;

6 (ii) live video streaming of each open meeting of the State Board; and

7 (iii) a complete, unedited archived video recording of each open  
8 meeting for a minimum of 4 years after the date of the meeting.]

9 (1) **THE STATE BOARD SHALL MAKE PUBLICLY AVAILABLE ON ITS**  
10 **WEBSITE:**

11 (I) **EACH OPEN MEETING AGENDA:**

12 1. **AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING;**

13 **OR**

14 2. **IF THE MEETING IS BEING HELD DUE TO AN**  
15 **EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS**  
16 **FAR IN ADVANCE OF THE MEETING AS PRACTICABLE; AND**

17 (II) **MEETING MINUTES FROM THE PORTIONS OF A MEETING**  
18 **THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE**  
19 **MINUTES ARE APPROVED.**

20 (2) **THE STATE BOARD SHALL MAKE PUBLICLY AVAILABLE LIVE**  
21 **VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN**  
22 **SESSION.**

23 (3) The Department of Information Technology shall provide to the State  
24 Board the technical staff, support, and equipment necessary to stream live video of the open  
25 meetings of the State Board.

26 **Article – Public Safety**

27 1–305.

28 (a) There is an Emergency Number Systems Board in the Department of Public  
29 Safety and Correctional Services.

30 (e) (1) The Board shall meet as necessary, but at least once each quarter.

**(2) THE BOARD SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:**

**(I) EACH OPEN MEETING AGENDA:**

**1. AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING;**

**OR**

**2. IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN ADVANCE OF THE MEETING AS PRACTICABLE; AND**

**(II) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE MINUTES ARE APPROVED.**

**(3) THE BOARD SHALL MAKE PUBLICLY AVAILABLE LIVE VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.**

#### **Article – Public Utilities**

**2–101.**

**(a) There is a Public Service Commission.**

**2–108.**

**(b) (1) The Commission shall meet at the times and places in the State as the Commission considers necessary.**

**(2) THE COMMISSION SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:**

**(I) EACH OPEN MEETING AGENDA:**

**1. AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING;**

**OR**

**2. IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN ADVANCE OF THE MEETING AS PRACTICABLE; AND**

**(II) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE**

1 MINUTES ARE APPROVED.

2 (3) THE COMMISSION SHALL MAKE PUBLICLY AVAILABLE LIVE VIDEO  
3 STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.

4 Article – Transportation

5 4–201.

6 There is a Maryland Transportation Authority.

7 4–211.

8 (A) THE AUTHORITY SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:

9 (1) EACH OPEN MEETING AGENDA:

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

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

14 (2) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT  
15 WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE  
16 MINUTES ARE APPROVED.

17 (B) THE AUTHORITY SHALL MAKE PUBLICLY AVAILABLE LIVE VIDEO  
18 STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2020.