

**Department of Legislative Services**  
Maryland General Assembly  
2011 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 47

(Delegate O'Donnell, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

---

**State Government - Open Meetings Act - Online Training**

---

This bill requires the State Open Meetings Law Compliance Board, in conjunction with the Office of the Attorney General, to develop and offer an online training program on the requirements of the open meetings law to employees, officers, or members of a public body, and members of the general public.

---

**Fiscal Summary**

**State Effect:** The Office of the Attorney General can develop an online training program with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** Under Maryland's Open Meetings Act, with limited exceptions, a "public body" must meet in open session. A public body is any entity that (1) consists of at least two individuals, and (2) is created by the Maryland Constitution; a State statute; a county or municipal charter; an ordinance; a rule, resolution, or bylaw; or an executive order of the Governor or of the chief executive authority of a political subdivision. Exclusions from the definition of "public body" include juries, the Governor's cabinet and Executive Council, and single-member entities.

The State Open Meetings Law Compliance Board is required to receive, review, and resolve complaints from any person alleging a violation of the Open Meetings Act and issue a written opinion as to whether a violation has occurred; and ensure compliance under the Open Meetings Act. The board, in conjunction with the Office of the Attorney General, must develop and conduct educational programs on the requirements of the open meetings law for the staffs and attorneys of public bodies, the Maryland Municipal League (MML), and the Maryland Association of Counties (MACO). Annually by October 1, the board must submit a report to the Governor and the General Assembly describing:

- the activities of the board;
- the opinions of the board in any cases brought before it;
- the number and nature of complaints filed with the board, including a discussion of complaints concerning the reasonableness of the notice provided for meetings; and
- any recommendations for improvements to the provisions of the Open Meetings Act.

**Background:** Educational training is consistently provided at MML and MACO meetings as part of the Academy for Excellence in Local Governance program, a partnership established by MACO, MML, the Local Government Insurance Trust, and the University of Maryland. The board has also provided training at meetings for associations representing particular types of public bodies such as library boards and election boards and for the public through entities such as local chapters of the League of Women Voters. On request, the board has provided training for individual government entities at both the State and local level. In addition, the Office of the Attorney General has an *Open Meetings Act Manual* and a power point presentation available on their website to assist members of public bodies, their lawyers, and members of the press and public with understanding the Act and especially its practical application.

---

### **Additional Information**

**Prior Introductions:** HB 1031 of 2010, a similar bill, received an unfavorable report from the House Health and Government Operations Committee.

**Cross File:** None.

**Information Source(s):** Baltimore, Garrett, and Montgomery counties; Office of the Attorney General; Maryland Department of Agriculture; Maryland Department of the Environment; Governor's Office; Department of Health and Mental Hygiene; Judiciary (Administrative Office of the Courts); Maryland Association of Counties; Maryland Municipal League; University System of Maryland; Department of Legislative Services

**Fiscal Note History:** First Reader - January 27, 2011  
ncs/hlb Revised - House Third Reader - April 11, 2011

---

Analysis by: Jennifer A. Ellick

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510