

Chapter 265

(House Bill 413)

AN ACT concerning

~~Open Meetings Act – Minutes – Maryland General Assembly – Pilot Program on Closed Captioning for Video and Audio Streaming~~

FOR the purpose of ~~altering the circumstances under which a public body need not prepare written minutes of an open session under the Open Meetings Act; and generally relating to minutes under the Open Meetings Act~~ requiring the Office of Information Systems in the Department of Legislative Services to establish the Pilot Program on Closed Captioning for Video Streaming; establishing the purpose of the Pilot Program; requiring that the Pilot Program allow for testing of a certain process during a certain session of the Maryland General Assembly; requiring the Office of Information Systems to report to certain committees of the Maryland General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a pilot program on closed captioning for video streaming.

~~BY repealing and reenacting, with amendments,
Article – General Provisions
Section 3–306
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)~~

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

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) The Office of Information Systems in the Department of Legislative Services shall establish a Pilot Program on Closed Captioning for Video Streaming.

(b) The purpose of the Pilot Program is to determine an efficient and cost-effective process for providing the public with closed captioning for live and archived video streaming on the Maryland General Assembly Web site.

(c) (1) During the 2017 Session of the Maryland General Assembly, the Pilot Program shall allow for the testing of a process for providing the public with closed captioning for live and archived video of meetings conducted in two standing committee rooms of the Maryland General Assembly.

(2) On or before October 1, 2017, the Office of Information Systems shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the

State Government Article, on the results of the testing required by paragraph (1) of this subsection and whether the process may be applied to other live and archived videos streamed on the Maryland General Assembly Web site.

~~Article—General Provisions~~

~~§ 306.~~

~~(a) This section does not:~~

~~(1) require any change in the form or content of the Journal of the Senate of Maryland or Journal of the House of Delegates of Maryland; or~~

~~(2) limit the matters that a public body may include in its minutes.~~

~~(b) (1) Subject to paragraphs (2) and (3) of this subsection, as soon as practicable after a public body meets, it shall have written minutes of its session prepared.~~

~~(2) A public body need not prepare written minutes of an open session if:~~

~~(i) 1. live and archived video [or audio] streaming of the open session is available; [or]~~

~~2. THE LIVE AND ARCHIVED VIDEO STREAMING IS CLOSED CAPTIONED OR A WRITTEN TRANSCRIPT OF THE VIDEO STREAMING IS AVAILABLE ON REQUEST; AND~~

~~3. AN ELECTRONIC INDEX THAT ALLOWS AN INDIVIDUAL TO NAVIGATE DIRECTLY TO THE RELEVANT AGENDA ITEM OR PORTION OF THE MEETING ACCOMPANIES THE ARCHIVED VIDEO STREAMING; OR~~

~~(ii) the public body votes on legislation and the individual votes taken by each member of the public body who participates in the voting are posted promptly on the Internet.~~

~~(3) The information specified under paragraph (2) of this subsection shall be deemed the minutes of the open session.~~

~~(e) (1) The written minutes shall reflect:~~

~~(i) each item that the public body considered;~~

~~(ii) the action that the public body took on each item; and~~

~~(iii) each vote that was recorded.~~

~~(2) If a public body meets in closed session, the written minutes for its next open session shall include:~~

- ~~(i) a statement of the time, place, and purpose of the closed session;~~
- ~~(ii) a record of the vote of each member as to closing the session;~~
- ~~(iii) a citation of the authority under § 3-305 of this subtitle for closing the session; and~~
- ~~(iv) a listing of the topics of discussion, persons present, and each action taken during the session.~~

~~(3) (i) A session may be tape recorded by a public body.~~

~~(ii) Except as otherwise provided in paragraph (4) of this subsection, the written minutes and any tape recording of a closed session shall be sealed and may not be open to public inspection.~~

~~(4) The written minutes and any tape recording shall be unsealed and open to inspection as follows:~~

~~(i) for a meeting closed under § 3-305(b)(5) of this subtitle, when the public body invests the funds;~~

~~(ii) for a meeting closed under § 3-305(b)(6) of this subtitle, when the public securities being discussed have been marketed; or~~

~~(iii) on request of a person or on the public body's own initiative, if a majority of the members of the public body present and voting vote in favor of unsealing the written minutes and any tape recording.~~

~~(d) Except as provided in subsection (c) of this section, written minutes of a public body are public records and shall be open to public inspection during ordinary business hours.~~

~~(e) A public body shall keep a copy of the written minutes of each session and any tape recording made under subsection (b)(2)(i) or (c)(3)(i) of this section for at least 1 year after the date of the session.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2016. It shall remain effective for a period of 2 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, April 26, 2016.