

SENATE BILL 91

G1

(PRE-FILED)

7lr0705
CF 7lr0447

By: **Senators Kagan and Waugh**

Requested: September 26, 2016

Introduced and read first time: January 11, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Elections – Open Meetings – Video Streaming and Recording**
3 **(State Board of Elections Transparency Act)**

4 FOR the purpose of requiring the State Board of Elections to make available to the public
5 on the Internet live video streaming and complete, unedited archived video
6 recordings of open meetings; requiring the State Board to make the archived video
7 recordings available for a certain minimum period of time; and generally relating to
8 open meetings of the State Board of Elections.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 2–102
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2016 Supplement)

14 Preamble

15 WHEREAS, The General Assembly has determined that it is essential to the
16 maintenance of a democratic society that public business be performed in an open and
17 accessible manner; and

18 WHEREAS, The Internet and other technological developments have increased the
19 ways governmental bodies can provide public access to their open meetings, including live
20 streaming or recording the meetings; and

21 WHEREAS, The Board of Public Works uses a multi-camera unit, a computer, and
22 a subscription to a live video platform service to broadcast and record its meetings; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The State Board of Elections would improve public access to its
2 meetings by using a broadcast system similar to the system used by the Board of Public
3 Works; now, therefore,

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

6 **Article – Election Law**

7 2–102.

8 (a) The State Board shall manage and supervise elections in the State and ensure
9 compliance with the requirements of this article and any applicable federal law by all
10 persons involved in the elections process.

11 (b) In exercising its authority under this article and in order to ensure compliance
12 with this article and with any requirements of federal law, the State Board shall:

13 (1) supervise the conduct of elections in the State;

14 (2) direct, support, monitor, and evaluate the activities of each local board;

15 (3) have a staff sufficient to perform its functions;

16 (4) adopt regulations to implement its powers and duties;

17 (5) receive, or in its discretion audit, campaign finance reports, account
18 books and records kept under § 13–221 of this article, independent expenditure reports filed
19 and records kept under § 13–306 of this article, electioneering communication reports filed
20 and records kept under § 13–307 of this article, and statements filed and records kept under
21 § 14–105 of this article;

22 (6) appoint a State Administrator in accordance with § 2–103 of this
23 subtitle;

24 (7) maximize the use of technology in election administration, including
25 the development of a plan for a comprehensive computerized elections management system;

26 (8) canvass and certify the results of elections as prescribed by law;

27 (9) make available to the general public, in a timely and efficient manner,
28 information on the electoral process, including a publication that includes the text of this
29 article, relevant portions of the Maryland Constitution, and information gathered and
30 maintained regarding elections;

1 (10) subject to § 2–106 of this subtitle and § 13–341 of this article, receive,
2 maintain, and serve as a depository for elections documents, materials, records, statistics,
3 reports, certificates, proclamations, and other information prescribed by law or regulation;

4 (11) prescribe all forms required under this article; and

5 (12) serve as the official designated office in accordance with the Uniformed
6 and Overseas Citizens Absentee Voting Act for providing information regarding voter
7 registration and absentee ballot procedures for absent uniformed services voters and
8 overseas voters with respect to elections for federal office.

9 (c) The powers and duties assigned to the State Board under this article shall be
10 exercised in accordance with an affirmative vote by a supermajority of the members of the
11 State Board.

12 **(D) THE STATE BOARD SHALL MAKE AVAILABLE TO THE PUBLIC ON THE**
13 **INTERNET:**

14 **(1) LIVE VIDEO STREAMING OF EACH OPEN MEETING OF THE STATE**
15 **BOARD; AND**

16 **(2) A COMPLETE, UNEDITED ARCHIVED VIDEO RECORDING OF EACH**
17 **OPEN MEETING FOR A MINIMUM OF 4 YEARS AFTER THE DATE OF THE MEETING.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2017.