

HOUSE BILL 440

L2

0lr1027

By: St. Mary's County Delegation

Introduced and read first time: January 23, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County Open Meetings Act – Public Agencies and Use of New**
3 **Technology**

4 FOR the purpose of altering the definition of “public agency” for purposes of the St. Mary’s
5 County Open Meetings Act to include the St. Mary’s County Board of Library
6 Trustees, the St. Mary’s County Metropolitan Commission, and the St. Mary’s
7 County Housing Authority; encouraging certain public agencies to use new
8 technology when available to aid in public accessibility and transparency; and
9 generally relating to the St. Mary’s County Open Meetings Act.

10 BY repealing and reenacting, with amendments,
11 Article – Local Government
12 Section 9–501 and 9–509
13 Annotated Code of Maryland
14 (2013 Volume and 2019 Supplement)

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

17 **Article – Local Government**

18 9–501.

19 (a) In this subtitle the following words have the meanings indicated.

20 (b) “Official action” means a phase of the process in which a public agency in St.
21 Mary’s County makes a decision or recommendation, including receipt of information and
22 deliberation.

23 (c) (1) “Public agency” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) a governmental unit of St. Mary's County, including an advisory
2 or quasi-judicial agency, that is:

3 1. supported in any part by public money; or

4 2. authorized to spend public money; [and]

5 (ii) the St. Mary's County Board of Education;

6 **(III) THE ST. MARY'S COUNTY BOARD OF LIBRARY TRUSTEES;**

7 **(IV) THE ST. MARY'S COUNTY METROPOLITAN COMMISSION;**

8 **AND**

9 **(V) THE ST. MARY'S COUNTY HOUSING AUTHORITY.**

10 (2) "Public agency" includes a subcommittee or other subordinate unit of a
11 governmental unit listed in paragraph (1) of this subsection.

12 (3) "Public agency" does not include:

13 (i) a grand jury;

14 (ii) a petit jury;

15 (iii) a law enforcement agency; or

16 (iv) the judicial branch.

17 (d) "Public agency meeting" means the convening of a quorum of the constituent
18 membership of a public agency to deliberate or act on a matter under the supervision,
19 control, jurisdiction, or advisory power of the public agency.

20 (e) "Quorum", unless otherwise defined by applicable law, means a simple
21 majority of the constituent membership of a public agency.

22 (f) "Staff meeting" means a meeting of three or more staff members of one or more
23 public agencies.

24 9-509.

25 (a) A public agency that conducts a meeting that is open to the public shall allow
26 recorded or live radio and television broadcasting and the use of recording devices.

27 (b) A public agency may adopt rules and regulations regarding the recording and
28 broadcasting of public agency meetings.

1 **(C) PUBLIC AGENCIES ARE ENCOURAGED TO USE NEW TECHNOLOGY WHEN**
2 **AVAILABLE TO AID IN PUBLIC ACCESSIBILITY AND TRANSPARENCY.**

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