

HOUSE BILL 375

P1

(2lr0838)

ENROLLED BILL

— *Health and Government Operations/Education, Health, and Environmental Affairs* —

Introduced by ~~Delegate Korman~~ Delegates Korman, Bagnall, Belcastro, Bhandari, Carr, Chisholm, Cullison, Hill, Johnson, Kaiser, Kelly, Kerr, Kipke, Krebs, Landis, R. Lewis, Morgan, Pena-Melnyk, Pendergrass, Reilly, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Open Meetings Act – Application and Enhanced Requirements**
3 **(Maryland State Agency Transparency Act of 2022)**

4 FOR the purpose of repealing exemptions from the Open Meetings Act for certain
5 independent and regional development units; establishing enhanced requirements
6 under the Open Meetings Act for specified public bodies; providing that a project site
7 visit or educational field tour is not a meeting for purposes of the Open Meetings Act
8 for certain public bodies; and generally relating to the Open Meetings Act.

9 BY repealing and reenacting, without amendments,
10 Article – Economic Development

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



- 1 Section 10–105(a), 10–401(a) and (c), 10–504(a), 10–604(a), 10–806(a), and 11–402(a)
2 Annotated Code of Maryland
3 (2018 Replacement Volume and 2021 Supplement)
- 4 BY repealing and reenacting, with amendments,
5 Article – Economic Development
6 Section 10–111(a), 10–407, 10–508(b), 10–607(a), 10–814(a) and (b), and 11–408(a)
7 and (b)
8 Annotated Code of Maryland
9 (2018 Replacement Volume and 2021 Supplement)
- 10 BY repealing and reenacting, without amendments,
11 Article – Education
12 Section 24–501
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2021 Supplement)
- 15 BY repealing and reenacting, with amendments,
16 Article – Education
17 Section 24–512(b)(3)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)
- 20 BY repealing and reenacting, without amendments,
21 Article – Election Law
22 Section 2–101(a)
23 Annotated Code of Maryland
24 (2017 Replacement Volume and 2021 Supplement)
- 25 BY repealing
26 Article – Election Law
27 Section 2–102(d)
28 Annotated Code of Maryland
29 (2017 Replacement Volume and 2021 Supplement)
- 30 BY adding to
31 Article – Election Law
32 Section 2–102(d)
33 Annotated Code of Maryland
34 (2017 Replacement Volume and 2021 Supplement)
- 35 BY repealing and reenacting, without amendments,
36 Article – General Provisions
37 Section 3–101(a), (d), and (h)(1), 3–204(a), and 3–501
38 Annotated Code of Maryland
39 (2019 Replacement Volume and 2021 Supplement)

1 BY adding to
2 Article – General Provisions
3 Section 3–307
4 Annotated Code of Maryland
5 (2019 Replacement Volume and 2021 Supplement)

6 BY repealing
7 Article – Natural Resources
8 Section 3–103.4(g)
9 Annotated Code of Maryland
10 (2018 Replacement Volume and 2021 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Natural Resources
13 Section 3–103.4(h)
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2021 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 2021 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 2021 Supplement)

26 BY repealing and reenacting, without amendments,
27 Article – Public Utilities
28 Section 2–101(a)
29 Annotated Code of Maryland
30 (2020 Replacement Volume and 2021 Supplement)

31 BY repealing and reenacting, with amendments,
32 Article – Public Utilities
33 Section 2–108(b)
34 Annotated Code of Maryland
35 (2020 Replacement Volume and 2021 Supplement)

36 BY repealing and reenacting, without amendments,
37 Article – Transportation
38 Section 4–201
39 Annotated Code of Maryland
40 (2020 Replacement Volume and 2021 Supplement)

1 BY repealing
 2 Article – Transportation
 3 Section 4–211
 4 Annotated Code of Maryland
 5 (2020 Replacement Volume and 2021 Supplement)

6 BY adding to
 7 Article – Transportation
 8 Section 4–211
 9 Annotated Code of Maryland
 10 (2020 Replacement Volume and 2021 Supplement)

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

13 **Article – Economic Development**

14 10–105.

15 (a) There is a Maryland Economic Development Corporation.

16 10–111.

17 (a) (1) Except as otherwise provided in this section, in exercising its powers,
 18 the Corporation:

19 (i) may carry out its corporate purposes without the consent of any
 20 State unit; and

21 (ii) is not subject to:

22 1. Title 12, Subtitles 1 through 3 of this article;

23 2. the following provisions of the Local Government Article:

24 A. Title 18, Subtitle 1 (Parking Authorities Act); and

25 B. Title 18, Subtitle 2 (Ocean City Convention Center);

26 3. the following provisions of the State Finance and
 27 Procurement Article:

28 A. Title 2, Subtitles 2 (Gifts and Grants), 4 (Water and
 29 Sewerage Systems), and 5 (Facilities for the Handicapped);

30 B. Title 3 (Budget and Management);

- C. Title 4 (Department of General Services);
- D. Title 5A (Division of Historical and Cultural Programs);
- E. Title 6, Subtitle 1 (Studies and Estimates);
- F. Title 7, Subtitles 1 (State Operating Budget), 2 (Disbursements and Expenditures), and 3 (Unspent Balances);
- G. §§ 8–127, 8–128, and 8–129 (certain restrictions on State general obligation bonds);
- H. Title 8, Subtitle 1, Part V (State Revenue Anticipation Notes);
- I. Title 10 (Board of Public Works – Miscellaneous Provisions); and
- J. Division II (General Procurement Law);
- 4. the following provisions of the State Government Article:
 - A. Title 9, Subtitles 10 (State Archives and Artistic Property) and 17 (Maryland State Employees Surety Bond Committee); and
 - B. Title 11 (Consolidated Procedures for Development Permits); AND
 - 5. Article 41 of the Code]; and
 - 6. §§ 3–301 and 3–303 of the General Provisions Article (certain open meetings provisions)].

(2) **(I)** The Corporation is subject to:

- ~~(H)~~ **1.** the Public Information Act; AND
- ~~(H)~~ **2.** **THE OPEN MEETINGS ACT.**

(II) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL MAY NOT BE CONSIDERED A MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

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

2 (c) “Corporation” means the Maryland Technology Development Corporation.

3 10–407.

4 (a) Except as provided in subsections (b), (c), and (e) of this section, the
5 Corporation is exempt from[:

6 (1) Title 10 and Division II of the State Finance and Procurement Article[;
7 and

8 (2) §§ 3–301 and 3–303 of the General Provisions Article].

9 (b) The Corporation is subject to the Public Information Act.

10 (c) The Board, the officers and employees of the Corporation, members of the
11 investment committee, and members of any advisory committee appointed are subject to
12 the Public Ethics Law.

13 (d) The officers and employees of the Corporation are not subject to the provisions
14 of Division I of the State Personnel and Pensions Article that govern the State Personnel
15 Management System.

16 (e) (1) The Corporation, its Board, and employees are subject to Title 12,
17 Subtitle 4 of the State Finance and Procurement Article.

18 (2) The Board, the officers and employees of the Corporation, the members
19 of the investment committee, and the members of any advisory committee appointed shall
20 disclose to the State Ethics Commission whether they are employed by or have a financial
21 interest in an entity that currently has or will apply for funds or an investment in a program
22 administered by the Corporation.

23 **(F) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR**
24 **EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE**
25 **CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

26 10–504.

27 (a) There is a Maryland Agricultural and Resource–Based Industry Development
28 Corporation.

29 10–508.

30 (b) (1) The Corporation is subject to:

1 (I) the Public Information Act; AND

2 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
3 OPEN MEETINGS ACT.

4 (2) [The Corporation is exempt from the Open Meetings Act.] FOR
5 PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL
6 FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE ~~BOARD~~
7 CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

8 10-604.

9 (a) There is a Maryland Stadium Authority.

10 10-607.

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

12 [(2) The Authority shall make publicly available on its website:

13 (i) each open meeting agenda:

14 1. at least 48 hours in advance of each meeting; or

15 2. if the meeting is being held due to an emergency, a natural
16 disaster, or any other unanticipated situation, as far in advance of the meeting as
17 practicable;

18 (ii) meeting minutes from the portions of a meeting that were held
19 in open session, not more than 2 business days after the minutes are approved; and

20 (iii) except as provided in paragraph (3) of this subsection, live video
21 streaming of each portion of a meeting that is held in open session.

22 (3) If the Authority meets by telephone conference, the Authority shall
23 make publicly available on its website live audio streaming of each portion of the meeting
24 that is held in open session.

25 (4) The Authority shall maintain on its website:

26 (i) meeting minutes made available under paragraph (2) of this
27 subsection for a minimum of 5 years after the date of the meeting;

28 (ii) a complete and unedited archived video recording of each open
29 meeting for which live video streaming was made available under paragraph (2) of this
30 subsection for a minimum of 1 year after the date of the meeting; and

1 (iii) a complete and unedited archived audio recording of each open
 2 meeting for which live audio streaming was made available under paragraph (3) of this
 3 subsection for a minimum of 1 year after the date of the meeting.]

4 **(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE**
 5 **VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING**
 6 **OF THE AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

7 10-806.

8 (a) There is a Maryland Clean Energy Center.

9 10-814.

10 (a) Except as provided in subsections (b), (c), and (e) of this section, the Center is
 11 exempt from[:

12 (1) Title 10 and Division II of the State Finance and Procurement Article[;
 13 and

14 (2) §§ 3-301 and 3-303 of the General Provisions Article].

15 (b) **(1)** The Center is subject to:

16 ~~**(1)**~~ **(I)** the Public Information Act; AND

17 ~~**(2)**~~ **(II)** THE OPEN MEETINGS ACT.

18 **(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE**
 19 **VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING**
 20 **OF THE CENTER IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

21 11-402.

22 (a) There is a Bainbridge Development Corporation.

23 11-408.

24 (a) Except as otherwise provided in this section, in exercising its corporate
 25 powers, the Corporation:

26 (1) may carry out its corporate purposes without obtaining the consent of
 27 any other State unit; and

28 (2) is not subject to:

1 (i) [§§ 3–301 and 3–303 of the General Provisions Article (Open
2 Meetings);

3 (ii) Title 11 of the State Government Article (Consolidated
4 Procedures for Development Permits); and

5 [(iii)] (II) the following provisions of the State Finance and
6 Procurement Article:

7 1. Title 2, Subtitles 2 (Gifts and Grants), 4 (Facsimile
8 Signatures and Seals), and 5 (Facilities for Handicapped);

9 2. Title 3 (Budget and Management);

10 3. Title 4 (Department of General Services);

11 4. § 5A–304 (Maryland Historical Trust Property
12 Acquisition);

13 5. Title 6, Subtitle 1 (Revenues: Studies and Estimates);

14 6. Title 7, Subtitles 1 (State Operating Budget), 2
15 (Disbursements and Expenditures), and 3 (Unspent Balances);

16 7. Title 8, Subtitle 1 (General Obligation Debt);

17 8. Title 10 (Board of Public Works – Miscellaneous
18 Provisions); and

19 9. Division II (General Procurement Law).

20 (b) (1) The Corporation is subject to:

21 ~~(1)~~ (I) the Public Information Act; AND

22 ~~(2)~~ (II) THE OPEN MEETINGS ACT.

23 (2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE
24 VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING
25 OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

26 *Article – Education*

27 24–501.

1 *There is a Historic St. Mary's City Commission.*

2 *24-512.*

3 *(b) (3) The Commission and its officers and employees are subject [to the Public*
4 *Ethics Law, the Public Information Act, and the Open Meetings Law] TO:*

5 *(I) THE MARYLAND PUBLIC ETHICS LAW ESTABLISHED IN*
6 *TITLE 5 OF THE GENERAL PROVISIONS ARTICLE;*

7 *(II) THE PUBLIC INFORMATION ACT ESTABLISHED IN TITLE 4*
8 *OF THE GENERAL PROVISIONS ARTICLE; AND*

9 *(III) THE OPEN MEETINGS ACT ESTABLISHED IN TITLE 3 OF THE*
10 *GENERAL PROVISIONS ARTICLE.*

11 **Article – Election Law**

12 2-101.

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

14 2-102.

15 [(d) (1) The State Board shall make publicly available on its website:

16 (i) each open meeting agenda:

17 1. at least 48 hours in advance of each meeting; or

18 2. if the meeting is being held due to an emergency, a natural
19 disaster, or any other unanticipated situation, as far in advance of the meeting as
20 practicable;

21 (ii) meeting minutes from the portions of a meeting that were held
22 in open session, not more than 2 business days after the minutes are approved; and

23 (iii) live video streaming of each portion of a meeting that is held in
24 open session.

25 (2) The State Board shall maintain on its website:

26 (i) meeting minutes made available under paragraph (1)(ii) of this
27 subsection for a minimum of 5 years after the date of the meeting; and

1 (ii) a complete and unedited archived video recording of each open
 2 meeting for which live video streaming was made available under paragraph (1)(iii) of this
 3 subsection for a minimum of 1 year after the date of the meeting.

4 (3) The Department of Information Technology shall provide to the State
 5 Board the technical staff, support, and equipment necessary to stream live video of the open
 6 meetings of the State Board.]

7 **(D) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR**
 8 **EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE**
 9 **STATE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

10 Article – General Provisions

11 3–101.

12 (a) In this title the following words have the meanings indicated.

13 (d) “Board” means the State Open Meetings Law Compliance Board.

14 (h) (1) “Public body” means an entity that:

15 (i) consists of at least two individuals; and

16 (ii) is created by:

17 1. the Maryland Constitution;

18 2. a State statute;

19 3. a county or municipal charter;

20 4. a memorandum of understanding or a master agreement
 21 to which a majority of the county boards of education and the State Department of
 22 Education are signatories;

23 5. an ordinance;

24 6. a rule, resolution, or bylaw;

25 7. an executive order of the Governor; or

26 8. an executive order of the chief executive authority of a
 27 political subdivision of the State.

28 3–204.

1 (a) The Board shall:

2 (1) receive, review, and, subject to § 3-207 of this subtitle, resolve
3 complaints from any person alleging a violation of this title; and

4 (2) issue a written opinion as to whether a violation has occurred.

5 **3-307.**

6 (A) THIS SECTION APPLIES ONLY TO THE FOLLOWING PUBLIC BODIES:

7 (1) THE BOARD OF DIRECTORS OF THE BAINBRIDGE DEVELOPMENT
8 CORPORATION;

9 (2) THE CANAL PLACE PRESERVATION AND DEVELOPMENT
10 AUTHORITY;

11 (3) THE MARYLAND 9-1-1 BOARD;

12 (4) THE BOARD OF DIRECTORS OF THE MARYLAND AGRICULTURAL
13 AND RESOURCE-BASED INDUSTRY CORPORATION;

14 ~~(5) THE BOARD OF TRUSTEES OF THE MARYLAND AUTOMOBILE~~
15 ~~INSURANCE FUND;~~

16 ~~(6)~~ (5) THE BOARD OF DIRECTORS OF THE MARYLAND CLEAN
17 ENERGY CENTER;

18 ~~(7)~~ (6) THE BOARD OF DIRECTORS OF THE MARYLAND ECONOMIC
19 DEVELOPMENT CORPORATION;

20 ~~(8)~~ (7) THE BOARD OF DIRECTORS OF THE MARYLAND
21 ENVIRONMENTAL SERVICE;

22 ~~(9)~~ (8) THE MARYLAND FOOD CENTER AUTHORITY;

23 ~~(10)~~ (9) THE MARYLAND HEALTH AND HIGHER EDUCATIONAL
24 FACILITIES AUTHORITY;

25 ~~(11)~~ (10) THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING
26 AUTHORITY;

27 ~~(12)~~ (11) THE MARYLAND STADIUM AUTHORITY;

- 1 ~~(13)~~ (12) THE MARYLAND TRANSPORTATION AUTHORITY;
- 2 ~~(14)~~ (13) THE NORTHEAST MARYLAND WASTE DISPOSAL
- 3 AUTHORITY;
- 4 ~~(15)~~ (14) THE PUBLIC SERVICE COMMISSION; ~~AND~~
- 5 ~~(16)~~ (15) THE STATE BOARD OF ELECTIONS; ~~AND~~
- 6 (16) THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION;
- 7 AND
- 8 (17) THE HISTORIC ST. MARY'S CITY COMMISSION.

9 (B) A PUBLIC BODY SPECIFIED IN SUBSECTION (A) OF THIS SECTION SHALL

10 MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:

11 ~~(1) EACH OPEN MEETING AGENDA, TOGETHER WITH ANY~~

12 ~~DOCUMENTS, TESTIMONY, MINUTES FROM PREVIOUS MEETINGS, AND OTHER~~

13 ~~MATERIALS THAT WILL BE CONSIDERED AT THE OPEN MEETING;~~

14 (1) EACH OPEN MEETING AGENDA, TOGETHER WITH A SUMMARY OF

15 ANY FINALIZED DOCUMENTS, WRITTEN TESTIMONY FROM THE PUBLIC, AND OTHER

16 MATERIALS THAT THE PUBLIC BODY WILL VOTE ON AT THE OPEN MEETING;

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

18 (II) IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A

19 NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN

20 ADVANCE OF THE MEETING AS PRACTICABLE;

21 (2) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT

22 WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE

23 MINUTES ARE APPROVED; AND

24 (3) SUBJECT TO SUBSECTIONS (F) AND (G) OF THIS SECTION, LIVE

25 VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN

26 SESSION.

27 (C) TO THE EXTENT PRACTICABLE, EACH OPEN MEETING AGENDA SHALL

28 INDICATE:

29 (1) WHETHER THE PUBLIC BODY INTENDS TO ADJOURN THE OPEN

30 SESSION TO A CLOSED SESSION; AND

1 **(2) IF APPLICABLE, THE EXPECTED TIME AT WHICH THE PUBLIC BODY**
2 **INTENDS TO ADJOURN THE OPEN SESSION TO A CLOSED SESSION.**

3 **(D) (1) THE PUBLIC BODY SHALL APPROVE MEETING MINUTES IN A**
4 **TIMELY MANNER.**

5 **(2) EACH OPEN MEETING AGENDA SHALL INCLUDE CONSIDERATION**
6 **OF THE MEETING MINUTES FROM THE MOST RECENT MEETING.**

7 **(3) THE REQUIREMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION**
8 **DOES NOT APPLY TO THE AGENDA OF AN EMERGENCY MEETING OF A PUBLIC BODY IF**
9 **CONSIDERATION OF THE MEETING MINUTES FROM THE MOST RECENT MEETING IS**
10 **NOT PRACTICABLE BECAUSE OF THE NEED TO HOLD AN EMERGENCY MEETING.**

11 **(E) THE PUBLIC BODY SHALL MAINTAIN ON ITS WEBSITE:**

12 **(1) MEETING MINUTES MADE AVAILABLE UNDER SUBSECTION (B) OF**
13 **THIS SECTION FOR A MINIMUM OF 5 YEARS AFTER THE DATE OF THE MEETING; AND**

14 **(2) EXCEPT AS PROVIDED IN SUBSECTIONS (F) AND (G) OF THIS**
15 **SECTION, A COMPLETE AND UNEDITED ARCHIVED VIDEO RECORDING OF EACH OPEN**
16 **MEETING FOR WHICH LIVE VIDEO STREAMING WAS MADE AVAILABLE UNDER**
17 **SUBSECTION (B) OF THIS SECTION FOR A MINIMUM OF 1 YEAR AFTER THE DATE OF**
18 **THE MEETING.**

19 **(F) (1) THIS SUBSECTION APPLIES ONLY TO THE MARYLAND STADIUM**
20 **AUTHORITY.**

21 **(2) IF THE MARYLAND STADIUM AUTHORITY MEETS BY TELEPHONE**
22 **CONFERENCE, THE AUTHORITY SHALL:**

23 **(I) MAKE PUBLICLY AVAILABLE ON ITS WEBSITE LIVE AUDIO**
24 **STREAMING OF EACH PORTION OF THE MEETING THAT IS HELD IN OPEN SESSION;**
25 **AND**

26 **(II) MAINTAIN ON ITS WEBSITE A COMPLETE AND UNEDITED**
27 **ARCHIVED AUDIO RECORDING OF EACH MEETING FOR WHICH LIVE AUDIO**
28 **STREAMING WAS MADE AVAILABLE FOR A MINIMUM OF 1 YEAR AFTER THE DATE OF**
29 **THE MEETING.**

30 **(G) (1) THIS SUBSECTION APPLIES ONLY TO THE MARYLAND**
31 **TRANSPORTATION AUTHORITY.**

1 **(2) THE MARYLAND TRANSPORTATION AUTHORITY IS REQUIRED TO**
 2 **PROVIDE LIVE VIDEO STREAMING OF A MEETING ONLY IF THE MEETING IS HELD AT:**

3 **(I) THE HEADQUARTERS OF THE MARYLAND**
 4 **TRANSPORTATION AUTHORITY; OR**

5 **(II) A LOCATION WHERE THE MARYLAND TRANSPORTATION**
 6 **AUTHORITY HELD AT LEAST 10 MEETINGS DURING THE IMMEDIATELY PRECEDING**
 7 **CALENDAR YEAR.**

8 **(H) THE DEPARTMENT OF INFORMATION TECHNOLOGY SHALL PROVIDE**
 9 **THE TECHNICAL STAFF, SUPPORT, AND EQUIPMENT NECESSARY TO LIVESTREAM**
 10 **THE OPEN MEETINGS OF:**

11 **(1) THE MARYLAND TRANSPORTATION AUTHORITY; AND**

12 **(2) THE STATE BOARD OF ELECTIONS.**

13 **(I) FOR PURPOSES OF THIS TITLE, A PROJECT SITE VISIT OR EDUCATIONAL**
 14 **FIELD TOUR MAY NOT BE CONSIDERED A MEETING OF A PUBLIC BODY LISTED UNDER**
 15 **SUBSECTION (A) OF THIS SECTION IF NO ORGANIZATIONAL BUSINESS IS**
 16 **CONDUCTED.**

17 **(J) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PREVENT A PUBLIC**
 18 **BODY FROM ALTERING THE AGENDA OF A MEETING AFTER THE AGENDA HAS BEEN**
 19 **MADE AVAILABLE TO THE PUBLIC.**

20 ~~**(H)**~~ **(K) THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THE**
 21 **OTHER REQUIREMENTS OF THIS SUBTITLE.**

22 3-501.

23 This title may be cited as the Open Meetings Act.

24 **Article – Natural Resources**

25 3-103.4.

26 **[(g) (1) The Board shall make publicly available on the Service's website:**

27 **(i) Each open meeting agenda:**

28 **1. At least 48 hours in advance of each meeting; or**

1 (3) The Board shall maintain on its website:

2 (i) meeting minutes made available under paragraph (2) of this
3 subsection for a minimum of 5 years after the date of the meeting; and

4 (ii) a complete and unedited archived video recording of each open
5 meeting for which live video streaming was made available under paragraph (2) of this
6 subsection for a minimum of 1 year after the date of the meeting.]

7 **(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE**
8 **VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING**
9 **OF THE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

10 **Article – Public Utilities**

11 2–101.

12 (a) There is a Public Service Commission.

13 2–108.

14 (b) ~~¶(1)~~ The Commission shall meet at the times and places in the State as the
15 Commission considers necessary.

16 [(2) The Commission shall make publicly available on its website:

17 (i) each open meeting agenda:

18 1. at least 48 hours in advance of each meeting; or

19 2. if the meeting is being held due to an emergency, a natural
20 disaster, or any other unanticipated situation, as far in advance of the meeting as
21 practicable;

22 (ii) meeting minutes from the portions of a meeting that were held
23 in open session, not more than 2 business days after the minutes are approved; and

24 (iii) live video streaming of each portion of a meeting that is held in
25 open session.

26 (3) The Commission shall maintain on its website:

27 (i) meeting minutes made available under paragraph (2) of this
28 subsection for a minimum of 5 years after the date of the meeting; and

1 (ii) a complete and unedited archived video recording of each open
2 meeting for which live video streaming was made available under paragraph (2) of this
3 subsection for a minimum of 1 year after the date of the meeting.]

4 **(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE**
5 **VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING**
6 **OF THE COMMISSION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

7 **Article – Transportation**

8 4–201.

9 There is a Maryland Transportation Authority.

10 [4–211.

11 (a) The Authority shall make publicly available on its website:

12 (1) Each open meeting agenda:

13 (i) At least 48 hours in advance of each meeting; or

14 (ii) If the meeting is being held due to an emergency, a natural
15 disaster, or any other unanticipated situation, as far in advance of the meeting as
16 practicable;

17 (2) Meeting minutes from the portions of a meeting that were held in open
18 session, not more than 2 business days after the minutes are approved;

19 (3) Live video streaming of each open meeting of the Authority that is held
20 at:

21 (i) The headquarters of the Authority; or

22 (ii) Any other location where the Authority held at least 10 meetings
23 during the immediately preceding calendar year; and

24 (4) A complete and unedited archived video recording of each open meeting
25 for which live video streaming was made available under item (3) of this subsection for a
26 minimum of 5 years after the date of the meeting.

27 (b) The Department of Information Technology shall provide to the Authority the
28 technical staff, support, and equipment necessary to livestream the open meetings of the
29 Authority.]

30 **4–211.**

1 FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR
2 EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE
3 AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

4 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
5 Assembly that the requirement for publication of documents, testimony from the public,
6 and other materials in advance of an open meeting in accordance with § 3-307 of the
7 General Provisions Article, as enacted by Section 1 of this Act, may not be construed to
8 limit the discussions and deliberations of the public body to:

9 (1) matters referenced in the materials published prior to the meeting; or

10 (2) require the disclosure of documents or material that would be exempt
11 from public inspection under Title 4 of the General Provisions Article.

12 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.