

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1203 (Delegate Miller, *et al.*)
Ways and Means

County Boards of Education and Public Schools - Committees and Task Forces -
Open Meetings Act

This bill requires that a committee or task force convened by either a local board of education or any public school is subject to the Open Meetings Act under Title 3 of the General Provisions Article if the committee or task force will review or discuss (1) curriculum content; (2) textbooks or other course materials; (3) library books; or (4) supplemental materials. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: None.

Local Effect: Local boards of education and public schools are staffed and equipped to conduct open meetings and can comply with the bill's requirements using existing resources.

Small Business Effect: None.

Analysis

Current Law: Under Maryland's Open Meetings Act, with limited exceptions, a public body must (1) meet in open session in places reasonably accessible to potential attendees and (2) provide reasonable advance notice of the time and location of meetings, including, when appropriate, whether any portion of a meeting will be in closed 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; a

memorandum of understanding or a master agreement to which a majority of the county boards of education and the Maryland State Department of Education are signatories; 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, judicial nominating commissions, and single-member entities, among others. Guidance provided by the Office of the Attorney General indicates that when the meeting “place” is a conference call, the public can be provided access through a call-in number or by access to a meeting room with a speakerphone.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Anne Arundel County Public Schools; Office of the Attorney General; Maryland State Department of Education; Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2023
km/hlb

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