

CHERYL C. KAGAN
Legislative District 17
Montgomery County

Vice Chair
Education, Health, and
Environmental Affairs Committee

Joint Audit Committee
Joint Committee on Federal Relations



Miller Senate Office Building
11 Bladen Street, Suite 2 West
Annapolis, Maryland 21401
301-858-3134 · 410-841-3134
800-492-7122 Ext. 3134
Fax 301-858-3665 · 410-841-3665
Cheryl.Kagan@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB72: Maryland Transparency Act Testimony
Senate Education, Health, and Environmental Affairs Committee
Tuesday, February 2, 2021, 2 pm

Transparency is an essential element of good government. In the past, State boards and agencies typically held meetings in a physical location where members of the press and general public could attend in person. We must ensure that state agencies and local Boards of Elections remain accessible. The use of virtual platforms to meet during the Coronavirus pandemic has shown how easy it is to adapt.

Last year, we unanimously passed [SB363/HB421](#), which expanded Open Meetings Act requirements to cover five additional state entities with fiduciary responsibility for a significant amount of taxpayer money. Rather than enumerating specific agencies or boards that warrant transparency, this legislation establishes consistent practices for Local Boards of Elections and other State government bodies subject to the Open Meetings Act. [SB72/HB344](#) will require these entities (but not county or municipal governments) to:

- Post all materials at least 48 hours in advance;
- Indicate on the agenda whether a closed session is anticipated;
- Provide live video-streaming of the public portion of meetings;
- Discuss meeting minutes in a timely manner;
- Share meeting minutes on their website within two business days of approval;
- Authorize the Open Meetings Compliance Board to enforce the requirements; and
- Implement these provisions by:
 - October 1, 2021 for those with five or more employees; and
 - October 1, 2022 for those with fewer than five staffers.

One silver lining of the pandemic is that Marylanders have all been able to stay informed and engaged with their government. If the General Assembly can stream its meetings and publicize materials, other government bodies should be able to comply. This legislation would increase transparency and allow the public to access government, regardless of the meetings' locations.

Amendment: *(Pending EHEA Counsel Alexis Foxworth)*

I urge a favorable report of bill SB72 with the sponsor's amendment.