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Sponsor Testimony in SUPPORT of HB 246
Open Meetings Act – Notices, Closed Sessions, and Minutes – Retention Periods,
Online Posting, and Public Inspection

March 24, 2022

House Bill 246 improves public confidence in government by strengthening the Open Meetings Act. It improves public access to meeting documents in three ways:

First, it would increase the retention period for meeting notices and closing statements to 3 years (from 1 year). Second, it would require that closing statements be posted online, just like meeting minutes, to the extent practicable. And third, it would require that, if not posted online, public bodies must send electronic copies of certain minutes and closing statements upon request at no charge within 5 business days.

The idea is to make the Open Meetings Act more "pandemic proof." There are still many public bodies that do not post their minutes/recordings online. Many government offices have been closed, making it difficult to fulfill the Open Meetings Act's requirement that meeting minutes be available for immediate public inspection in person in an office. The fallback is to rely on the Maryland Public Information Act, but custodians have up to 30 days to respond and some jurisdictions suspended the 30 day requirement under cover of the state of emergency.

Most municipalities would be unaffected by this bill because they already post their approved meeting minutes online. We checked the websites of over 100 municipalities and only found 10 that did not observe this best practice.

I respectfully ask for a favorable report.