

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

SB269: Open Meetings Act - Application and Enhanced Requirements (Maryland State Agency Transparency Act of 2022) Testimony
House Health & Government Operations Committee
Tuesday, March 22, 2022 | 1:30pm

Transparency is an essential element of good government. Prior to COVID, State boards and agencies held meetings in a physical location where members of the press and public could attend in person. During the pandemic, virtual platforms have demonstrated how easy it is to adapt. According to a [recent Forbes study](#), “25% of all professional jobs in North America will be remote by the end of 2022, and remote opportunities will continue to increase through 2023.”

In 2019, I introduced and unanimously passed transparency legislation ([SB184/HB71](#)) with Del. Korman, that applied to our State Board of Elections. In 2020, the General Assembly again unanimously passed legislation ([SB363/HB421](#)) to expand the Open Meetings Act to cover five additional state entities that manage a significant amount of taxpayer money.

[SB269](#) seeks to build on the previous laws and enhance accountability by requiring additional agencies to:

- Post the agenda and all materials at least 48 hours prior to a meeting;
- Livestream the public portion of meetings and post the video within two business days;
- Indicate on the agenda, to the degree possible, whether the group expects to go into a closed session;
- Review the prior meeting’s minutes in a timely manner. (This would ensure that a public body is not delaying approval of the minutes as a method of hiding information.); and
- Authorize the Open Meetings Compliance Board to enforce these requirements.

Note: This bill exempts site visits and educational tours from the requirements under the Open Meetings Act.

One modest silver lining of the pandemic is that Marylanders have been able to stay informed and engaged with their government. If the General Assembly can stream its meetings and publicize materials, other governmental bodies can surely do the same. This legislation would increase transparency and allow the public to access government, regardless of the meetings’ locations.

I urge a favorable report on SB269.

Entities Covered Under SB269:

- Bainbridge Development Corporation
- Canal Place Preservation and Development Authority
- Historic St. Mary's City Commission
- Maryland 9-1-1 Board
- Maryland Agricultural and Resource-Based Industry Development Corporation
- Maryland Clean Energy Center
- Maryland Economic Development Corporation
- Maryland Environmental Service
- Maryland Food Center Authority
- Maryland Health and Higher Educational Facilities Authority
- Maryland Industrial Development Financing Authority
- Maryland Stadium Authority
- Maryland Transportation Authority
- Maryland Technology Development Corporation
- Northeast Maryland Waste Disposal Authority
- Public Service Commission
- State Board of Elections