



## House Bill 246

### *Open Meetings Act – Notices, Closed Sessions, and Minutes – Retention Periods, Online Posting, and Public Inspection*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Health and Government Operations Committee

Date: January 25, 2022

From: D’Paul Nibber

The Maryland Association of Counties (MACo) **SUPPORTS** HB 246 **WITH AMENDMENTS**. This bill would, among other provisions, compel certain government bodies, including counties, to provide electronic copies of minutes, provided a copy is not available online, within two business days of a request.

The process of producing minutes can be both time-consuming and difficult, particularly for bodies producing detailed notes of proceedings. Likewise, many counties have raised objections to HB 246 based on a lack of staff availability to complete minutes and make them available within a potential 48-hour window. This issue is intensified among smaller bodies within local governments subject to the Open Meetings Act. These entities generally do not have dedicated staff to construct minutes.

Moreover, many local government bodies follow fairly standard meeting procedures which require official minutes to be approved during subsequent meetings. That may be weeks, if not months, later. HB 246 would seemingly necessitate the sharing of unapproved and unfinalized minutes from these bodies.

To address these issues but preserve the understandable intent of the bill, MACo offers the following amendment language:

- On page 6, line 23, strike “**RECEIVING THE REQUEST**” and replace with “**EITHER APPROVAL OR OTHER FINALIZATION OF THE MINUTES**”

The above amendment language would ensure entities subject to the Open Meetings Act are accountable to members of the public, while managing the burden on short-staffed local governments. For this reason, MACo urges a **FAVORABLE WITH AMENDMENTS** report for HB 246.