

Chapter 147

(House Bill 498)

AN ACT concerning

Board of Public Works Public Comment Act

FOR the purpose of requiring the Board of Public Works, for meetings held on or after a certain date, to allow members of the public to submit certain public comments electronically except under certain circumstances; requiring public comments to be included in certain meeting materials and posted and retained online; requiring an additional staff position at the Board to carry out certain requirements; and generally relating to public comments and the Board of Public Works.

BY adding to

Article – State Finance and Procurement

Section 10–207

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Finance and Procurement

10–207.

(A) FOR EACH MEETING OF THE BOARD HELD ON OR AFTER OCTOBER 1, 2024, BEGINNING ON THE DATE THE BOARD MAKES THE MEETING AGENDA AVAILABLE TO THE PUBLIC, INCLUDING ANY UPDATES TO THE AGENDA, THE BOARD SHALL ALLOW MEMBERS OF THE PUBLIC TO ELECTRONICALLY SUBMIT PUBLIC COMMENTS ON AGENDA ITEMS.

(B) PUBLIC COMMENTS SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION OR THAT ARE OTHERWISE RECEIVED BY THE BOARD BY ELECTRONIC OR REGULAR MAIL AND RELATE TO A BOARD AGENDA ITEM SHALL:

(1) BE INCLUDED IN EACH MEETING PACKET PREPARED FOR MEMBERS OF THE BOARD;

(2) BE POSTED ONLINE AT LEAST 24 HOURS IN ADVANCE OF THE MEETING, OR AS SOON AS PRACTICABLE AFTER THE PUBLIC COMMENT IS RECEIVED; AND

(3) BE RETAINED ONLINE THROUGH THE BOARD'S PUBLIC WEBSITE.

(C) ANY BOARD DISCUSSION ITEMS THAT ARE NOT SUBJECT TO INCLUSION IN A PUBLIC AGENDA UNDER § 3-302.1 OF THE GENERAL PROVISIONS ARTICLE ARE NOT SUBJECT TO PUBLIC COMMENT UNDER THIS SECTION.

(D) TO CARRY OUT THE REQUIREMENTS OF THIS SECTION, THE BOARD SHALL EMPLOY AT LEAST ONE MORE STAFF POSITION THAN THE NUMBER OF POSITIONS AUTHORIZED IN FISCAL YEAR 2023.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2023.

Approved by the Governor, April 24, 2023.