

Chapter 346

(Senate Bill 269)

AN ACT concerning

**Open Meetings Act – Application and Enhanced Requirements
(Maryland State Agency Transparency Act of 2022)**

FOR the purpose of repealing exemptions from the Open Meetings Act for certain independent and regional development units; establishing enhanced requirements under the Open Meetings Act for specified public bodies; providing that a project site visit or educational field tour is not a meeting for purposes of the Open Meetings Act for certain public bodies; and generally relating to the Open Meetings Act.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–105(a), 10–401(a) and (c), 10–504(a), 10–604(a), 10–806(a), and 11–402(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–111(a), 10–407, 10–508(b), 10–607(a), 10–814(a) and (b), and 11–408(a)
and (b)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,Article – EducationSection 24–501Annotated Code of Maryland(2018 Replacement Volume and 2021 Supplement)BY repealing and reenacting, with amendments,Article – EducationSection 24–512(b)(3)Annotated Code of Maryland(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 2–101(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2021 Supplement)

BY repealing

Article – Election Law
Section 2–102(d)
Annotated Code of Maryland
(2017 Replacement Volume and 2021 Supplement)

BY adding to

Article – Election Law
Section 2–102(d)
Annotated Code of Maryland
(2017 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – General Provisions
Section 3–101(a), (d), and (h)(1), 3–204(a), and 3–501
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

BY adding to

Article – General Provisions
Section 3–307
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

BY repealing

Article – Natural Resources
Section 3–103.4(g)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 3–103.4(h)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 1–305(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–305(e)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 2–101(a)
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 2–108(b)
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 4–201
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY repealing
Article – Transportation
Section 4–211
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY adding to
Article – Transportation
Section 4–211
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

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

Article – Economic Development

10–105.

- (a) There is a Maryland Economic Development Corporation.

10–111.

- (a) (1) Except as otherwise provided in this section, in exercising its powers, the Corporation:

- State unit; and
- (i) may carry out its corporate purposes without the consent of any
 - (ii) is not subject to:
 1. Title 12, Subtitles 1 through 3 of this article;
 2. the following provisions of the Local Government Article:
 - A. Title 18, Subtitle 1 (Parking Authorities Act); and
 - B. Title 18, Subtitle 2 (Ocean City Convention Center);
 3. the following provisions of the State Finance and Procurement Article:
 - A. Title 2, Subtitles 2 (Gifts and Grants), 4 (Water and Sewerage Systems), and 5 (Facilities for the Handicapped);
 - B. Title 3 (Budget and Management);
 - C. Title 4 (Department of General Services);
 - D. Title 5A (Division of Historical and Cultural Programs);
 - E. Title 6, Subtitle 1 (Studies and Estimates);
 - F. Title 7, Subtitles 1 (State Operating Budget), 2 (Disbursements and Expenditures), and 3 (Unspent Balances);
 - G. §§ 8–127, 8–128, and 8–129 (certain restrictions on State general obligation bonds);
 - H. Title 8, Subtitle 1, Part V (State Revenue Anticipation Notes);
 - I. Title 10 (Board of Public Works – Miscellaneous Provisions); and
 - J. Division II (General Procurement Law);
 4. the following provisions of the State Government Article:
 - A. Title 9, Subtitles 10 (State Archives and Artistic Property) and 17 (Maryland State Employees Surety Bond Committee); and

B. Title 11 (Consolidated Procedures for Development Permits); AND

5. Article 41 of the Code]; and

6. §§ 3-301 and 3-303 of the General Provisions Article (certain open meetings provisions)].

(2) (I) The Corporation is subject to:

(H) 1. the Public Information Act; AND

(H) 2. THE OPEN MEETINGS ACT.

(II) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

10-401.

(a) In this subtitle the following words have the meanings indicated.

(c) “Corporation” means the Maryland Technology Development Corporation.

10-407.

(a) Except as provided in subsections (b), (c), and (e) of this section, the Corporation is exempt from[:

(1)] Title 10 and Division II of the State Finance and Procurement Article[;
and

(2) §§ 3-301 and 3-303 of the General Provisions Article].

(b) The Corporation is subject to the Public Information Act.

(c) The Board, the officers and employees of the Corporation, members of the investment committee, and members of any advisory committee appointed are subject to the Public Ethics Law.

(d) The officers and employees of the Corporation are not subject to the provisions of Division I of the State Personnel and Pensions Article that govern the State Personnel Management System.

(e) (1) The Corporation, its Board, and employees are subject to Title 12, Subtitle 4 of the State Finance and Procurement Article.

(2) The Board, the officers and employees of the Corporation, the members of the investment committee, and the members of any advisory committee appointed shall disclose to the State Ethics Commission whether they are employed by or have a financial interest in an entity that currently has or will apply for funds or an investment in a program administered by the Corporation.

(F) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

10-504.

(a) There is a Maryland Agricultural and Resource-Based Industry Development Corporation.

10-508.

(b) (1) The Corporation is subject to:

(I) the Public Information Act; AND

(II) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE OPEN MEETINGS ACT.**

(2) [The Corporation is exempt from the Open Meetings Act.] **FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE ~~BOARD~~ CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.**

10-604.

(a) There is a Maryland Stadium Authority.

10-607.

(a) ~~¶(1)¶~~ The Authority shall determine the times and places of its meetings.

[(2) The Authority shall make publicly available on its website:

(i) each open meeting agenda:

1. at least 48 hours in advance of each meeting; or

2. if the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;

(ii) meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved; and

(iii) except as provided in paragraph (3) of this subsection, live video streaming of each portion of a meeting that is held in open session.

(3) If the Authority meets by telephone conference, the Authority shall make publicly available on its website live audio streaming of each portion of the meeting that is held in open session.

(4) The Authority shall maintain on its website:

(i) meeting minutes made available under paragraph (2) of this subsection for a minimum of 5 years after the date of the meeting;

(ii) a complete and unedited archived video recording of each open meeting for which live video streaming was made available under paragraph (2) of this subsection for a minimum of 1 year after the date of the meeting; and

(iii) a complete and unedited archived audio recording of each open meeting for which live audio streaming was made available under paragraph (3) of this subsection for a minimum of 1 year after the date of the meeting.]

(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

10-806.

(a) There is a Maryland Clean Energy Center.

10-814.

(a) Except as provided in subsections (b), (c), and (e) of this section, the Center is exempt from[:

(1)] Title 10 and Division II of the State Finance and Procurement Article[; and

(2) §§ 3-301 and 3-303 of the General Provisions Article].

- (b) **(1)** The Center is subject to:
- ~~(1)~~ **(1)** the Public Information Act; AND
- ~~(2)~~ **(II)** THE OPEN MEETINGS ACT.

(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE CENTER IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

11-402.

- (a) There is a Bainbridge Development Corporation.

11-408.

(a) Except as otherwise provided in this section, in exercising its corporate powers, the Corporation:

(1) may carry out its corporate purposes without obtaining the consent of any other State unit; and

(2) is not subject to:

(i) [§§ 3-301 and 3-303 of the General Provisions Article (Open Meetings);

(ii)] Title 11 of the State Government Article (Consolidated Procedures for Development Permits); and

[(iii)] **(II)** the following provisions of the State Finance and Procurement Article:

1. Title 2, Subtitles 2 (Gifts and Grants), 4 (Facsimile Signatures and Seals), and 5 (Facilities for Handicapped);

2. Title 3 (Budget and Management);

3. Title 4 (Department of General Services);

4. § 5A-304 (Maryland Historical Trust Property Acquisition);

5. Title 6, Subtitle 1 (Revenues: Studies and Estimates);

6. Title 7, Subtitles 1 (State Operating Budget), 2 (Disbursements and Expenditures), and 3 (Unspent Balances);

7. Title 8, Subtitle 1 (General Obligation Debt);

8. Title 10 (Board of Public Works – Miscellaneous Provisions); and

9. Division II (General Procurement Law).

(b) **(1)** The Corporation is subject to:

~~(1)~~ **(I)** the Public Information Act; AND

~~(2)~~ **(II)** THE OPEN MEETINGS ACT.

(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

Article – Education

24-501.

There is a Historic St. Mary’s City Commission.

24-512.

(b) (3) The Commission and its officers and employees are subject [to the Public Ethics Law, the Public Information Act, and the Open Meetings Law] TO:

(I) THE MARYLAND PUBLIC ETHICS LAW ESTABLISHED IN TITLE 5 OF THE GENERAL PROVISIONS ARTICLE;

(II) THE PUBLIC INFORMATION ACT ESTABLISHED IN TITLE 4 OF THE GENERAL PROVISIONS ARTICLE; AND

(III) THE OPEN MEETINGS ACT ESTABLISHED IN TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.

Article – Election Law

2-101.

(a) There is a State Board of Elections consisting of five members.

2-102.

[(d) (1) The State Board shall make publicly available on its website:

(i) each open meeting agenda:

1. at least 48 hours in advance of each meeting; or

2. if the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;

(ii) meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved; and

(iii) live video streaming of each portion of a meeting that is held in open session.

(2) The State Board shall maintain on its website:

(i) meeting minutes made available under paragraph (1)(ii) of this subsection for a minimum of 5 years after the date of the meeting; and

(ii) a complete and unedited archived video recording of each open meeting for which live video streaming was made available under paragraph (1)(iii) of this subsection for a minimum of 1 year after the date of the meeting.

(3) The Department of Information Technology shall provide to the State Board the technical staff, support, and equipment necessary to stream live video of the open meetings of the State Board.]

(D) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE STATE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

Article – General Provisions

3-101.

(a) In this title the following words have the meanings indicated.

(d) “Board” means the State Open Meetings Law Compliance Board.

(h) (1) “Public body” means an entity that:

- (i) consists of at least two individuals; and
- (ii) is created by:
 1. the Maryland Constitution;
 2. a State statute;
 3. a county or municipal charter;
 4. a memorandum of understanding or a master agreement to which a majority of the county boards of education and the State Department of Education are signatories;
 5. an ordinance;
 6. a rule, resolution, or bylaw;
 7. an executive order of the Governor; or
 8. an executive order of the chief executive authority of a political subdivision of the State.

3–204.

(a) The Board shall:

- (1) receive, review, and, subject to § 3–207 of this subtitle, resolve complaints from any person alleging a violation of this title; and
- (2) issue a written opinion as to whether a violation has occurred.

3–307.

(A) THIS SECTION APPLIES ONLY TO THE FOLLOWING PUBLIC BODIES:

- (1) THE BOARD OF DIRECTORS OF THE BAINBRIDGE DEVELOPMENT CORPORATION;**
- (2) THE CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY;**
- (3) THE MARYLAND 9–1–1 BOARD;**
- (4) THE BOARD OF DIRECTORS OF THE MARYLAND AGRICULTURAL AND RESOURCE–BASED INDUSTRY CORPORATION;**

~~(5) THE BOARD OF TRUSTEES OF THE MARYLAND AUTOMOBILE INSURANCE FUND;~~

~~(6)~~ (5) THE BOARD OF DIRECTORS OF THE MARYLAND CLEAN ENERGY CENTER;

~~(7)~~ (6) THE BOARD OF DIRECTORS OF THE MARYLAND ECONOMIC DEVELOPMENT CORPORATION;

~~(8)~~ (7) THE BOARD OF DIRECTORS OF THE MARYLAND ENVIRONMENTAL SERVICE;

~~(9)~~ (8) THE MARYLAND FOOD CENTER AUTHORITY;

~~(10)~~ (9) THE MARYLAND HEALTH AND HIGHER EDUCATIONAL FACILITIES AUTHORITY;

~~(11)~~ (10) THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY;

~~(12)~~ (11) THE MARYLAND STADIUM AUTHORITY;

~~(13)~~ (12) THE MARYLAND TRANSPORTATION AUTHORITY;

~~(14)~~ (13) THE NORTHEAST MARYLAND WASTE DISPOSAL AUTHORITY;

~~(15)~~ (14) THE PUBLIC SERVICE COMMISSION; ~~AND~~

~~(16)~~ (15) THE STATE BOARD OF ELECTIONS; ~~AND~~

(16) THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION;
AND

(17) THE HISTORIC ST. MARY'S CITY COMMISSION.

(B) A PUBLIC BODY SPECIFIED IN SUBSECTION (A) OF THIS SECTION SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:

~~(1) EACH OPEN MEETING AGENDA, TOGETHER WITH ANY DOCUMENTS, TESTIMONY, MINUTES FROM PREVIOUS MEETINGS, AND OTHER MATERIALS THAT WILL BE CONSIDERED AT THE OPEN MEETING;~~

(1) EACH OPEN MEETING AGENDA, TOGETHER WITH A SUMMARY OF ANY FINALIZED DOCUMENTS, WRITTEN TESTIMONY FROM THE PUBLIC, AND OTHER MATERIALS THAT THE PUBLIC BODY WILL VOTE ON AT THE OPEN MEETING:

(I) AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING; OR

(II) IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN ADVANCE OF THE MEETING AS PRACTICABLE;

(2) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE MINUTES ARE APPROVED; AND

(3) SUBJECT TO SUBSECTIONS (F) AND (G) OF THIS SECTION, LIVE VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.

(C) TO THE EXTENT PRACTICABLE, EACH OPEN MEETING AGENDA SHALL INDICATE:

(1) WHETHER THE PUBLIC BODY INTENDS TO ADJOURN THE OPEN SESSION TO A CLOSED SESSION; AND

(2) IF APPLICABLE, THE EXPECTED TIME AT WHICH THE PUBLIC BODY INTENDS TO ADJOURN THE OPEN SESSION TO A CLOSED SESSION.

(D) (1) THE PUBLIC BODY SHALL APPROVE MEETING MINUTES IN A TIMELY MANNER.

(2) EACH OPEN MEETING AGENDA SHALL INCLUDE CONSIDERATION OF THE MEETING MINUTES FROM THE MOST RECENT MEETING.

(3) THE REQUIREMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION DOES NOT APPLY TO THE AGENDA OF AN EMERGENCY MEETING OF A PUBLIC BODY IF CONSIDERATION OF THE MEETING MINUTES FROM THE MOST RECENT MEETING IS NOT PRACTICABLE BECAUSE OF THE NEED TO HOLD AN EMERGENCY MEETING.

(E) THE PUBLIC BODY SHALL MAINTAIN ON ITS WEBSITE:

(1) MEETING MINUTES MADE AVAILABLE UNDER SUBSECTION (B) OF THIS SECTION FOR A MINIMUM OF 5 YEARS AFTER THE DATE OF THE MEETING; AND

(2) EXCEPT AS PROVIDED IN SUBSECTIONS (F) AND (G) OF THIS SECTION, A COMPLETE AND UNEDITED ARCHIVED VIDEO RECORDING OF EACH OPEN MEETING FOR WHICH LIVE VIDEO STREAMING WAS MADE AVAILABLE UNDER SUBSECTION (B) OF THIS SECTION FOR A MINIMUM OF 1 YEAR AFTER THE DATE OF THE MEETING.

(F) (1) THIS SUBSECTION APPLIES ONLY TO THE MARYLAND STADIUM AUTHORITY.

(2) IF THE MARYLAND STADIUM AUTHORITY MEETS BY TELEPHONE CONFERENCE, THE AUTHORITY SHALL:

(I) MAKE PUBLICLY AVAILABLE ON ITS WEBSITE LIVE AUDIO STREAMING OF EACH PORTION OF THE MEETING THAT IS HELD IN OPEN SESSION; AND

(II) MAINTAIN ON ITS WEBSITE A COMPLETE AND UNEDITED ARCHIVED AUDIO RECORDING OF EACH MEETING FOR WHICH LIVE AUDIO STREAMING WAS MADE AVAILABLE FOR A MINIMUM OF 1 YEAR AFTER THE DATE OF THE MEETING.

(G) (1) THIS SUBSECTION APPLIES ONLY TO THE MARYLAND TRANSPORTATION AUTHORITY.

(2) THE MARYLAND TRANSPORTATION AUTHORITY IS REQUIRED TO PROVIDE LIVE VIDEO STREAMING OF A MEETING ONLY IF THE MEETING IS HELD AT:

(I) THE HEADQUARTERS OF THE MARYLAND TRANSPORTATION AUTHORITY; OR

(II) A LOCATION WHERE THE MARYLAND TRANSPORTATION AUTHORITY HELD AT LEAST 10 MEETINGS DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR.

(H) THE DEPARTMENT OF INFORMATION TECHNOLOGY SHALL PROVIDE THE TECHNICAL STAFF, SUPPORT, AND EQUIPMENT NECESSARY TO LIVESTREAM THE OPEN MEETINGS OF:

(1) THE MARYLAND TRANSPORTATION AUTHORITY; AND

(2) THE STATE BOARD OF ELECTIONS.

(I) FOR PURPOSES OF THIS TITLE, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR MAY NOT BE CONSIDERED A MEETING OF A PUBLIC BODY LISTED UNDER SUBSECTION (A) OF THIS SECTION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

(J) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PREVENT A PUBLIC BODY FROM ALTERING THE AGENDA OF A MEETING AFTER THE AGENDA HAS BEEN MADE AVAILABLE TO THE PUBLIC.

(K) THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THE OTHER REQUIREMENTS OF THIS SUBTITLE.

3-501.

This title may be cited as the Open Meetings Act.

Article – Natural Resources

3-103.4.

[(g) (1) The Board shall make publicly available on the Service’s website:

(i) Each open meeting agenda:

1. At least 48 hours in advance of each meeting; or

2. If the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;

(ii) Meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved; and

(iii) Live video streaming of each portion of a meeting that is held in open session.

(2) The Service shall maintain on its website:

(i) Meeting minutes made available under paragraph (1) of this subsection for a minimum of 5 years after the date of the meeting; and

(ii) A complete and unedited archived video recording of each open meeting for which live video streaming was made available under paragraph (1) of this subsection for a minimum of 1 year after the date of the meeting.]

[(h)] (G) This section may be cited as the Maryland Environmental Service Reform Act of 2021.

Article – Public Safety

1–305.

(a) There is a Maryland 9–1–1 Board in the Maryland Department of Emergency Management.

(e) ~~[(1)]~~ The Board shall meet as necessary, but at least once each quarter.

[(2) The Board shall make publicly available on its website:

(i) each open meeting agenda:

1. at least 48 hours in advance of each meeting; or

2. if the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;

(ii) meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved; and

(iii) live video streaming of each portion of a meeting that is held in open session.

(3) The Board shall maintain on its website:

(i) meeting minutes made available under paragraph (2) of this subsection for a minimum of 5 years after the date of the meeting; and

(ii) a complete and unedited archived video recording of each open meeting for which live video streaming was made available under paragraph (2) of this subsection for a minimum of 1 year after the date of the meeting.]

(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

Article – Public Utilities

2–101.

(a) There is a Public Service Commission.

2-108.

(b) ~~¶(1)~~ The Commission shall meet at the times and places in the State as the Commission considers necessary.

[(2) The Commission shall make publicly available on its website:

(i) each open meeting agenda:

1. at least 48 hours in advance of each meeting; or
2. if the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;

(ii) meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved; and

(iii) live video streaming of each portion of a meeting that is held in open session.

(3) The Commission shall maintain on its website:

(i) meeting minutes made available under paragraph (2) of this subsection for a minimum of 5 years after the date of the meeting; and

(ii) a complete and unedited archived video recording of each open meeting for which live video streaming was made available under paragraph (2) of this subsection for a minimum of 1 year after the date of the meeting.]

(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE COMMISSION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

Article – Transportation

4-201.

There is a Maryland Transportation Authority.

[4-211.

(a) The Authority shall make publicly available on its website:

- (1) Each open meeting agenda:
 - (i) At least 48 hours in advance of each meeting; or
 - (ii) If the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;
 - (2) Meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved;
 - (3) Live video streaming of each open meeting of the Authority that is held at:
 - (i) The headquarters of the Authority; or
 - (ii) Any other location where the Authority held at least 10 meetings during the immediately preceding calendar year; and
 - (4) A complete and unedited archived video recording of each open meeting for which live video streaming was made available under item (3) of this subsection for a minimum of 5 years after the date of the meeting.
- (b) The Department of Information Technology shall provide to the Authority the technical staff, support, and equipment necessary to livestream the open meetings of the Authority.]

4-211.

FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR ~~SHALL~~ MAY NOT BE CONSIDERED A MEETING OF THE AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the requirement for publication of documents, testimony from the public, and other materials in advance of an open meeting in accordance with § 3-307 of the General Provisions Article, as enacted by Section 1 of this Act, may not be construed to:

- (1) limit the discussions and deliberations of the public body to matters referenced in the materials published prior to the meeting; or
- (2) require the disclosure of documents or material that would be exempt from public inspection under Title 4 of the General Provisions Article.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved by the Governor, May 16, 2022.