L2, P3 2lr0562

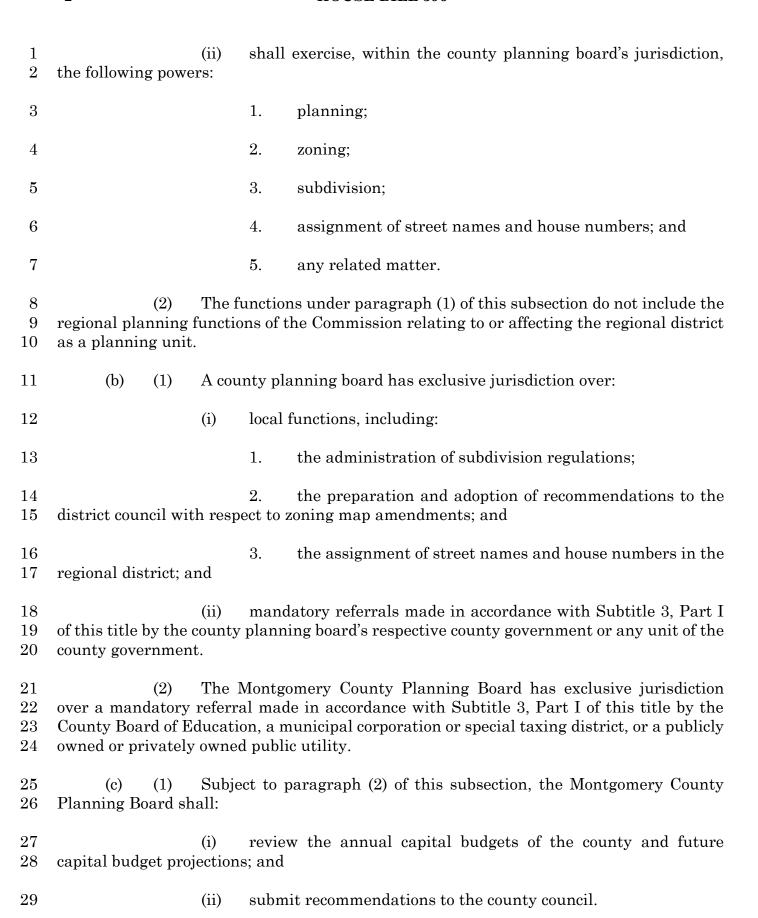
By: Prince George's County Delegation and Montgomery County Delegation

Introduced and read first time: January 19, 2022 Assigned to: Environment and Transportation

A BILL ENTITLED

1	AN ACT concerning
2 3	Montgomery County Planning Board – Open Meetings – Video and Audio Streaming and Minutes
4	PG/MC 101–22
5 6 7 8 9 10 11 12	FOR the purpose of requiring the Montgomery County Planning Board to stream live vided or teleconference audio or other audio of the open meetings of the Board and to prepare minutes of each open meeting; requiring the Board to maintain on its website complete and unedited archived recordings of livestreamed open meetings and the minutes of its open meetings; providing that the inability of the Board to comply with the livestreaming requirements due to technical issues does not affect the validity of actions taken by the Board at an open meeting; and generally relating to meetings of the Montgomery County Planning Board.
13 14 15 16 17 18	BY repealing and reenacting, with amendments, Article – Land Use Section 20–202 Annotated Code of Maryland (2012 Volume and 2021 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:
20	Article – Land Use
21	20–202.
22	(a) (1) Subject to paragraph (2) of this subsection, a county planning board:
23 24	(i) is responsible for planning, subdivision, and zoning functions that are primarily local in scope; and





- 3 1 The county government shall have sole responsibility for the (2)2preparation of the capital budgets and programs of public works. 3 (d) Each county planning board shall: 4 (1) meet from time to time with its respective county council; and perform surveys, studies, and other planning duties the county council 5 (2)6 assigns to the county planning board. 7 THIS SUBSECTION APPLIES ONLY TO THE MONTGOMERY COUNTY **(E) (1)** PLANNING BOARD. 8 9 **(2)** THE BOARD SHALL: 10 (I)STREAM LIVE VIDEO OR LIVE TELECONFERENCE AUDIO OR 11 OTHER AUDIO OF THE OPEN MEETINGS OF THE BOARD; 12 MAINTAIN ON ITS WEBSITE A COMPLETE AND UNEDITED (II)ARCHIVED RECORDING OF EACH OPEN MEETING THAT IS LIVESTREAMED IN 13 14 ACCORDANCE WITH THIS SUBSECTION; AND (III) NOTWITHSTANDING § 3-306(B)(2)(I) OF THE GENERAL 15 **PROVISIONS ARTICLE:** 16 17 1. PREPARE MINUTES OF EACH MEETING AS SOON AS 18 PRACTICABLE AFTER THE MEETING; AND 2. 19 PUBLISH AND MAINTAIN ON ITS WEBSITE THE 20 MINUTES OF EACH OPEN MEETING PREPARED IN ACCORDANCE WITH THIS 21 SUBSECTION. 22**(3)** THE INABILITY OF THE BOARD TO COMPLY WITH PARAGRAPH 23(2)(I) AND (II) OF THIS SUBSECTION DUE TO TECHNICAL FAILURE THAT ENTIRELY PREVENTS OR OTHERWISE AFFECTS THE QUALITY OF THE LIVE VIDEO OR AUDIO 24STREAMING OF A MEETING OF THE BOARD DOES NOT AFFECT THE VALIDITY OF ANY 25 ACTION TAKEN BY THE BOARD DURING THE MEETING IF: 26
- 27 THE BOARD OTHERWISE COMPLIES WITH THIS SUBSECTION **(I)** 28AND THE OPEN MEETINGS ACT; AND
- 29 (II)THE INABILITY TO COMPLY IS NOT DUE TO WILLFUL ACTION BY THE BOARD. 30

- 1 (4) IN ADDITION TO COMPLYING WITH THE MINUTES REQUIREMENTS
- 2 OF THE OPEN MEETINGS ACT UNDER § 3-306 OF THE GENERAL PROVISIONS
- 3 ARTICLE, IF THE BOARD IS UNABLE TO COMPLY WITH PARAGRAPH (2)(I) OF THIS
- 4 SUBSECTION, THE BOARD SHALL MAKE GOOD-FAITH EFFORTS TO RECORD AN OPEN
- 5 MEETING BY VIDEO OR AUDIO AND MAINTAIN ON ITS WEBSITE A COMPLETE AND
- 6 UNEDITED ARCHIVED RECORDING OF THE MEETING.
- 7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 8 October 1, 2022.