

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 337

(Senator Kagan)

Education, Energy, and the Environment

Ways and Means

Elections - Local Boards of Elections - Open Meeting Requirements (Local
Boards of Elections Transparency Act)

This bill requires each local board of elections to (1) at least 48 hours in advance of each open meeting, make publicly available on its website the open meeting agenda and other specified materials, including materials that will be voted on at the meeting, unless the meeting is being held due to an emergency, natural disaster, or other unanticipated situation (in which case the agenda and materials must be made available as far in advance as practicable) and (2) provide live video streaming of open meetings (with the exception of off-site meetings, site visits, and inspections) and maintain complete and unedited archived video recordings of the meetings for a minimum of five years. By December 1, 2025, the State Board of Elections (SBE) must adopt regulations to ensure the bill's live streaming requirements are implemented in a manner that maximizes transparency of open meetings of local boards. **The bill takes effect June 1, 2025.**

Fiscal Summary

State Effect: None.

Local Effect: Expenditures increase for some counties, as discussed below. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Current Law:

Open Meetings Act – Generally

The Open Meetings Act (OMA) requires State and local public bodies to hold their meetings in a manner that is open to the public, to give the public adequate notice of those meetings and their expected content, and to make minutes and any recordings of the meetings available to the public afterward. In certain circumstances, public bodies may discuss some topics confidentially in a “closed session.” Please see this Department of Legislative Services [fact sheet](#) for additional detail on the Act.

Enhanced Open Meeting Requirements

SBE, certain economic development organizations, and other specified public bodies such as the Maryland Stadium Authority (MSA), the Maryland Transportation Authority (MDTA), the Public Service Commission, and the State Ethics Commission are subject to certain enhanced requirements under OMA. These requirements include (1) making available on the public body’s website each open meeting agenda and other specified documents at least 48 hours in advance of a meeting unless the meeting is being held due to an emergency, natural disaster, or other unanticipated situation (other public bodies must provide an agenda at least 24 hours before a meeting) and (2) offering live video streaming of each portion of a meeting held in open session (subject to limited exceptions for MSA and MDTA). However, the law establishes that, for these entities that are subject to enhanced requirements, a project site visit or educational field tour is not considered a “meeting” of the public body, for purposes of both the enhanced requirements and OMA in general, if no organizational business is conducted.

Local Expenditures: Expenditures increase for some counties, to meet the bill’s requirements. Currently, at least two local boards, in Anne Arundel and Montgomery counties, already meet the bill’s live streaming and archiving requirements. Estimated costs for counties whose local boards do not already meet both requirements vary. From among estimates provided by a small number of counties and local boards:

- Calvert County, which already provides livestreaming of its local board meetings, can implement the storage requirement with existing resources;
- Carroll County incurs a one-time cost of up to \$5,300;
- Harford County incurs a quoted one-time cost of \$11,500 and an annual \$250 licensing fee;

- Howard County incurs one-time costs totaling \$25,000 (for audio/video equipment) and an annual cost of \$2,000 for storage of video recordings; and
- Worcester County incurs a one-time installation cost of \$6,000 and an annual cost of \$1,400 for livestreaming and support.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 412 (Delegate Korman) - Ways and Means.

Information Source(s): Anne Arundel, Calvert, Carroll, Harford, Howard, Montgomery, Prince George's, and Worcester counties; Baltimore City; Maryland Association of Election Officials; Maryland State Board of Elections; Department of Legislative Services

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