

CITIZEN-DRAFTED BILL AH-404

Requested: August 24, 2024

Suggested assignment to: Environment and Transportation

AN ACT concerning

Common Ownership – Remote Access to Meetings

FOR the purpose of increasing transparency of governing bodies, ensuring in-person meetings for seniors and others without internet access, requiring remote access for out-of-town owners to attend meetings, and enabling access for remote owners from their out-of-state primary residence. Repeal of 11-139.3 should be considered along with this bill.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

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

Article – Real Property

11-109.6 REMOTE ACCESS TO CONDOMINIUM MEETINGS

- (a) AN OPEN MEETING OF THE BOARD OF DIRECTORS, OR OTHER GOVERNING BODY OR COMMITTEE WITH AUTHORITY TO HEAR OR ADOPT RULES, POLICIES, AND GUIDELINES, SHALL BE CONDUCTED AS A HYBRID MEETING WITH BOTH IN-PERSON AND REMOTE OPTIONS FOR ATTENDANCE BY UNIT OWNERS AND RENTERS WHO ARE NOT ON THE GOVERNING BODY.
- (b) REMOTE ACCESS THROUGH A PUBLICLY AVAILABLE TELECONFERENCING SYSTEM OR VIRTUAL SPACE SHALL CONSTITUTE COMPLIANCE WITH THIS SECTION, PROVIDED THAT THE QUALIFYING METHOD IS:
 - (1) REASONABLY CAPABLE OF CONVEYING ANY USER’S INTENT TO SPEAK; AND
 - (2) PREVIOUSLY TESTED AND PROVEN TO SUCCESSFULLY MANAGE A REASONABLE NUMBER OF SIMULTANEOUS SPEAKERS WITH MUTE AND UNMUTE FUNCTIONS FOR THE RESIDENT COMMENT PERIOD

11A-109.2 REMOTE ACCESS TO TIME-SHARE MEETINGS

(a) AN OPEN MEETING OF THE BOARD OF DIRECTORS, OR OTHER GOVERNING BODY OR COMMITTEE WITH AUTHORITY TO HEAR OR ADOPT RULES, POLICIES, AND GUIDELINES, SHALL BE CONDUCTED AS A HYBRID MEETING WITH BOTH IN-PERSON AND REMOTE OPTIONS FOR ATTENDANCE BY TIME-SHARES WHO ARE NOT ON THE GOVERNING BODY.

(b) REMOTE ACCESS THROUGH A PUBLICLY AVAILABLE TELECONFERENCING SYSTEM OR VIRTUAL SPACE SHALL CONSTITUTE COMPLIANCE WITH THIS SECTION, PROVIDED THAT THE QUALIFYING METHOD IS:

(1) REASONABLY CAPABLE OF CONVEYING ANY USER'S INTENT TO SPEAK; AND

(2) PREVIOUSLY TESTED AND PROVEN TO SUCCESSFULLY MANAGE A REASONABLE NUMBER OF SIMULTANEOUS SPEAKERS WITH MUTE AND UNMUTE FUNCTIONS FOR THE DESIGNATED COMMENT PERIOD

11B-111.12 REMOTE ACCESS TO HOMEOWNER ASSOCIATION MEETINGS

(a) AN OPEN MEETING OF THE BOARD OF DIRECTORS, OR OTHER GOVERNING BODY OR COMMITTEE WITH AUTHORITY TO HEAR OR ADOPT RULES, POLICIES, AND GUIDELINES, SHALL BE CONDUCTED AS A HYBRID MEETING WITH BOTH IN-PERSON AND REMOTE OPTIONS FOR ATTENDANCE BY LOT OWNERS AND RENTERS WHO ARE NOT ON THE GOVERNING BODY.

(b) REMOTE ACCESS THROUGH A PUBLICLY AVAILABLE TELECONFERENCING SYSTEM OR VIRTUAL SPACE SHALL CONSTITUTE COMPLIANCE WITH THIS SECTION, PROVIDED THAT THE QUALIFYING METHOD IS:

(1) REASONABLY CAPABLE OF CONVEYING ANY USER'S INTENT TO SPEAK; AND

(2) PREVIOUSLY TESTED AND PROVEN TO SUCCESSFULLY MANAGE A REASONABLE NUMBER OF SIMULTANEOUS SPEAKERS WITH MUTE AND UNMUTE FUNCTIONS FOR THE RESIDENT COMMENT PERIOD

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.