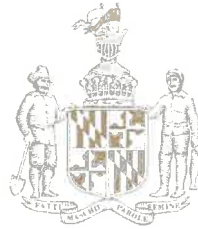


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September 19, 2019

The Honorable William E. "Brit" Kirwan, Ph.D.
Chair, Blueprint for Maryland's Future Funding Formula Workgroup
90 State Circle
Annapolis, Maryland 21401

Dear Dr. Kirwan:

You have inquired whether the Blueprint for Maryland's Future Funding Formula Workgroup ("Workgroup") is subject to provisions of the Open Meetings Act ("OMA") under Title 3 of the General Provisions Article ("GP"). As the Workgroup does not fall within the definition of a "public body" as defined in GP § 3-101(h), it is not subject to the requirements of the OMA.

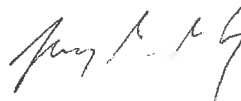
Under GP § 3-301, "[e]xcept as otherwise expressly provided in this title, a public body shall meet in open session." A "public body" is defined in GP § 3-101(h)(1) as an entity that consists of at least two individuals and is created by: (1) the Maryland Constitution; (2) a State statute; (3) a county or municipal charter; (4) a memorandum of understanding between local county boards of education and the State Department of Education; (5) an ordinance; (6) a rule, resolution, or bylaw; (7) an executive order of the Governor; or an executive order of the chief executive authority of a political subdivision. A "public body" also includes a multimember board, commission, or committee that is appointed by the Governor, chief executive authority of a political subdivision, or by an entity of the Executive Branch or official subject to its direction. GP § 3-301(h)(2).

As I understand it, the Workgroup was jointly appointed by the President of the Maryland Senate and Speaker of the House of Delegates by a joint statement in June of 2019. The Workgroup was not formally created through one of the seven methods described in GP § 3-101(h)(1). As a Workgroup created by the presiding officers of the General Assembly, the Workgroup likewise does not meet the definition of a "public body" appointed by the Governor or a political subdivision, or entity of, or official subject to an entity of the Executive Branch. GP § 3-301(h)(2). Accordingly, the Workgroup does not appear to constitute a "public body" that is subject to the requirements of the OMA.

The Honorable William E. "Brit" Kirwan
September 19, 2019
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I hope this is responsive to your request. If you have any questions or need any additional information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy M. McCoy". The signature is written in a cursive style with a large, stylized initial "J" and "M".

Jeremy M. McCoy
Assistant Attorney General