

requires to be open" is substituted for the former limitation "[s]ubject to the provisions of § 9," for clarity.

The second sentence of former Art. 76A, § 12(a), which stated that notice of a closed session shall be "as provided in § 11(b)(2)", is deleted since the referenced provision -- now § 4-109(c)(2) of this subtitle -- provided for a record in the minutes, rather than notice. However, in § 4-110 of this subtitle, the second sentence of former Art. 76A, § 12(a) is reflected by the references to "§ 4-109(c)(1)", since a failure to comply with the former sentence presumably was intended to be "a violation of § 12".

Defined terms: "Includes"; "including" § 1-101
"Meet" § 4-101 "Public body" § 4-101

4-107. ATTENDANCE AT OPEN SESSION.

(A) IN GENERAL.

WHENEVER A PUBLIC BODY MEETS IN OPEN SESSION, THE GENERAL PUBLIC IS ENTITLED TO ATTEND.

(B) REMOVAL OF INDIVIDUALS.

(1) IF THE PRESIDING OFFICER DETERMINES THAT THE BEHAVIOR OF AN INDIVIDUAL IS DISRUPTING AN OPEN SESSION, THE PUBLIC BODY MAY HAVE THE INDIVIDUAL REMOVED.

(2) UNLESS THE PUBLIC BODY OR ITS MEMBERS OR AGENTS ACTED MALICIOUSLY, THE PUBLIC BODY, MEMBERS, AND AGENTS ARE NOT LIABLE FOR HAVING AN INDIVIDUAL REMOVED UNDER THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 76A, § 10(b).

Defined terms: "Meet" § 4-101
"Public body" § 4-101

4-108. CLOSED SESSIONS PERMITTED.

(A) IN GENERAL.

A PUBLIC BODY MAY MEET IN CLOSED SESSION OR ADJOURN AN OPEN SESSION TO A CLOSED SESSION ONLY TO:

(1) DISCUSS:

(I) THE APPOINTMENT, EMPLOYMENT, ASSIGNMENT, PROMOTION, DISCIPLINE, DEMOTION, COMPENSATION, REMOVAL, OR RESIGNATION OF APPOINTEES, EMPLOYEES, OR OFFICIALS OVER WHOM IT HAS JURISDICTION; OR