

Bill No. 28-14
Concerning: Cable Communications –
Community Media Organizations
Revised: 4/16/14 Draft No. 2
Introduced: May 6, 2014
Enacted: July 15, 2014
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) expand the scope of the County's community media contracting authority; and
- (2) generally amend County law concerning cable communications.

By amending

Montgomery County Code
Chapter 8A, Cable Communications
Sections 8A-3 and 8A-32

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

28 and use of community media engagement platforms builds better
 29 understanding among a diverse population, increases opportunities for
 30 participation in and awareness of local culture and government, and
 31 promotes quality of life and economic development.

32 [(b)] (c) The County may require a community [access] media organization to
 33 perform one or more of the following functions as specified in the
 34 contract between the County and the community [access] media
 35 organization:

- 36 (1) manage the community media engagement platforms, including
 37 public access channels assigned to it by the County, [[and]]
 38 community media websites[[,]] and social media, and manage
 39 community media centers, facilities, and equipment;
- 40 (2) establish policies and procedures for the [form, content, and
 41 scheduling of public access channels] use of any community
 42 media engagement platform and any community media center,
 43 facility, or equipment;
- 44 (3) train members of the community in the production of [cable
 45 programs] community media and use of any community media
 46 engagement platform;
- 47 (4) maintain [facilities and] any community media engagement
 48 platform and community media center, facility, or equipment for
 49 community use, including use by the general public, any
 50 community organization, and the business community;
- 51 (5) provide technical [access channel] community media engagement
 52 platform and community media center, facility and equipment
 53 assistance and support to the County, any participating

54 [municipalities] municipality, and any educational [institutions]
 55 institution;

56 (6) promote the use and benefits of [the public, educational and
 57 government access channels] community media and any
 58 community media engagement platform;

59 (7) produce and [transmit] distribute local community media,
 60 including community news, [and other] programs and other
 61 media content; and

62 (8) undertake any other [cable] community media-related activity
 63 specified by the County as being in the public interest.

64 [(c)] (d) A community [[access]] media organization must:

65 (1) determine independently in the public interest and without
 66 government interference the content and scheduling of
 67 programming for [the public access channels assigned to it] any
 68 community media engagement platform;

69 (2) develop and implement policies to ensure fair, non-partisan and
 70 unbiased coverage of issues on [the public access channels
 71 assigned to it] any community media engagement platform and
 72 may not promote the candidacy of any candidate for public
 73 office by extending opportunities for use not extended to other
 74 candidates for the same office;

75 (3) [require that each officer, director, and executive director file a
 76 confidential financial disclosure statement in accordance with
 77 Chapter 19A with respect to all communications-related activities
 78 and interests] develop and implement policies and programs that
 79 promote organizational sustainability and viability;

- 80 [(4) have on its board of directors one voting member selected by
 81 each of the following:
 82 (A) the Montgomery County Chapter of the Maryland
 83 Municipal League;
 84 (B) the City of Rockville
 85 (C) the City of Takoma Park; and
 86 (D) each franchise except for limited franchisees;]
 87 [(5) develop and implement fair and reasonable procedures to allow
 88 members of the community access organization to nominate and
 89 elect 8 residents of the County to serve on its board of directors.
 90 Member means any individual who resides in the County and, at
 91 least 15 days before the deadline for voting for directors;
 92 (A) is certified by the organization to use the organization's
 93 equipment or facilities; or
 94 (B) request the organization's program guide;]
 95 [(6)](4) promote and encourage [programming] creation of community
 96 media content representing a diversity of community interests
 97 and needs; and
 98 [(7)](5) make a good faith effort to meet the affirmative action and
 99 minority, female, and disabled procurement goals that apply to
 100 County government.
 101 (e) Any officer, director, or executive director of a community media
 102 organization must file a confidential financial disclosure
 103 statement under Chapter 19A with respect to any
 104 communications-related activity or interest.
 105 [(d)] (f) A community [access] media organization must provide a copy of its
 106 current articles of incorporation and bylaws to the County Executive

107 and the County Council before the organization contracts with the
 108 County. Any proposed amendments must be submitted to the County
 109 Executive and County Council for review and comment at least 60 days
 110 before the organization takes final action on the amendment. The
 111 organization must submit a copy of all adopted amendments to the
 112 Executive and the Council within 5 working days of adoption. The
 113 organization's articles of incorporation and bylaws are subject to all
 114 County laws, including those enacted after the County contracts with
 115 the organization.

116 [(e)] (g) A community [[access]] media organization must provide the County
 117 with regular and complete financial reports as well as all other reports
 118 required under its contract with the County. In addition, it must provide
 119 the County with an annual independent audit, including a copy of any
 120 accompanying management letter.

122 *Approved:*

123  7/16/14

 Craig Rice, President, County Council Date

124 *Approved:*

125 _____
 Isiah Leggett, County Executive Date

126 *This is a correct copy of Council action.*

127 _____
 Linda M. Lauer, Clerk of the Council Date