

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 674

(Delegate Barron, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

Public Information Act - List of Contact Information for Governmental Unit
Representatives

This bill requires each governmental unit that maintains public records to identify a representative who a member of the public may contact to request a public record and to maintain and publish specified contact information in a user-friendly format on the governmental unit's website. The governmental unit must also submit the contact information to the Office of the Attorney General (OAG). OAG must post the contact information in a user-friendly format on the OAG website and include the contact information in any Public Information Act Manual published by OAG.

Fiscal Summary

State Effect: The bill's changes can be handled with existing budgeted resources. State agencies generally advise that the bill's requirements are already being met. OAG can likely handle the bill's requirements with existing resources.

Local Effect: The bill's changes can be handled with existing budgeted resources.

Small Business Effect: None.

Analysis

Bill Summary: The governmental unit must maintain contact information for the representative that includes the representative's (1) name; (2) business address; (3) business phone number; and (4) business email address. The contact information must also include the Internet address of the governmental unit. The governmental unit must update the contact information annually.

If the governmental unit does not have a website, the contact information must be kept at a place easily accessible to the public.

Current Law/Background: Generally, a custodian of a public record must permit inspection of the record at a reasonable time.

A custodian has to deny inspection of a public record or any part of a public record if (1) the public record is privileged or confidential by law or (2) the inspection would be contrary to a State statute, a federal statute or regulation, the Maryland Rules, or an order of a court of record. Denial of inspection is also mandatory for public records relating to adoption, welfare records, letters of reference, specified information about an individual maintained by a library, retirement records, certain police records, criminal charging documents, arrest warrants, personnel records, certain hospital and school records, records of certain State agencies, certain recorded and surveillance images, and captured plate data collected by automatic license plate reader systems. Denial of inspection is required for information in a public record relating to certain medical, psychological, sociological, and financial information; trade secrets; certain personal information about public employees; information about the security of an information system; and licensing records.

Unless otherwise specified, if a custodian believes that inspection of a part of a public record by an applicant would be contrary to the public interest, the custodian may deny inspection to the applicant of that part of the record. Permissible denials include information relating to documents that would not be available through discovery in a lawsuit, certain information about publicly administered tests, research projects conducted by an institution of the State or a political subdivision, real estate appraisals of property to be acquired by the State prior to its acquisition, certain information on inventions owned by State public higher educational institutions, and trade secrets or confidential information owned by the Maryland Technology Development Corporation.

Additional Information

Prior Introductions: None.

Cross File: SB 852 (Senator Young, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Baltimore City; cities of Bowie and Takoma Park; Montgomery County; Maryland Department of Agriculture; Baltimore City Community College; Department of Business and Economic Development; Department of Human Resources; Department of Natural Resources; Department of Information Technology; Maryland State

Department of Education; Maryland Department of the Environment; Maryland Department of Planning; State Ethics Commission; Department of General Services; Department of Housing and Community Development; Maryland Higher Education Commission; Department of Disabilities; Department of Health and Mental Hygiene; Maryland Insurance Administration; Comptroller's Office; Judiciary (Administrative Office of the Courts); Department of Juvenile Services; Department of Labor, Licensing, and Regulation; Maryland Energy Administration; Military Department; Department of State Police; Morgan State University; Maryland Department of Aging; Department of Public Safety and Correctional Services; Public School Construction Program; Maryland Department of Transportation; University System of Maryland; Department of Veterans Affairs; Department of Legislative Services

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