



House Health and Government Operations Committee
House Bill 806
Public Information Act - Frivolous, Vexatious, or Abusive Requests - Remedies
February 11, 2025
Favorable

Chair Pena-Melnyk, Vice Chair Cullison and committee members, thank you for the opportunity to offer our support for House Bill 806. The bill makes several important changes to identify and address "vexatious requesters" and remind the public of proper request procedures and what constitutes a reasonable request.

The USM is comprised of twelve distinguished institutions, and three regional centers. We award eight out of every ten bachelor's degrees in the State. Each of USM's 12 institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes three Historically Black Institutions, comprehensive institutions and research universities, and the country's largest public online institution.

Frivolous and vexatious public information (PIA) requests are rare but, when they target the institutions of the University System of Maryland (USM), they can disrupt and diminish staff hours better spent with students and faculty. As a result, it makes it harder for USM institutions to respond to legitimate PIA requests from the press, interest groups, and members of the public in a timely fashion. That's why, a few years ago, the General Assembly created a process for custodians to seek relief from the PIA Compliance Board (PIACB) from frivolous, vexatious, or in bad faith requests.

House Bill 806 is an extension of that work. It adds "abusive" to the list of requests for which a custodian could seek relief from the PIACB and allows custodians to go directly to circuit court to seek an order that a request is frivolous, vexatious, abusive, or in bad faith. In addition, the bill clarifies and expands the possible relief that the PIACB (or a court) could give and would leave it to the PIACB's (or court's) discretion to make the remedy match the problem.

Finally, to solve a separate problem, House Bill 806 would permit the PIACB to dismiss complaints deemed frivolous, vexatious, or in bad faith. This would allow the PIACB to focus on the important substantive issues, rather than frivolous complaints from requesters.

For these reasons, the USM is proud to stand alongside the Office of the Attorney General in support of House Bill 806.



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