

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE  
Revised

House Bill 844 (Delegate Getty)  
Commerce and Government Matters      Referred to Economic & Environmental Affairs

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**Public Records - Copying and Access**

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This amended bill requires that public records be provided in the form or format requested by the applicant if it is readily reproducible in that format. It requires the State, a political subdivision, or a unit of the State or subdivision to make a reasonable effort to maintain public records in a format that is readily reproducible and likely to be requested, and to search for records in electronic format. The bill specifies that the official custodian of electronic records may include as part of the reasonable fee for providing a copy of the record in electronic format the costs incurred in creating or copying the record in that format. The bill also requires the Office of Information Technology in the Department of Budget and Management in consultation with the Office of the Attorney General, the Maryland Association of Counties, and the Maryland Municipal League to study the feasibility of making public records available by computer telecommunications and submit a written report of the study to the Governor and the General Assembly on or before December 31, 1997.

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**Fiscal Summary**

**State Effect:** Indeterminate. General fund revenues and expenditures could increase a minimal amount as discussed below.

**Local Effect:** Indeterminate. Revenues and expenditures could increase a minimal amount as discussed below.

**Small Business Effect:** Minimal impact on small businesses that access public records as a part of doing business, to the extent that the bill makes public records more accessible.

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**Fiscal Analysis**

**State Effect:** General fund expenditures and revenues could increase minimally as a result of the bill's requirements. Expenditures could increase based on the requirement that State entities make a "reasonable effort" to maintain public records in the form or formats that are readily reproducible and likely to be requested, and search for public records in electronic format. On the other hand, general fund revenues could increase as a result of the official custodian of an electronic record being able to charge a reasonable fee to cover the cost of providing an electronic record in electronic format if requested by the applicant. The required report could be undertaken with existing resources.

**Local Effect:** Localities would experience an indeterminate, but minimal increase in expenditures and revenues, as discussed above in the State Effect section.

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**Information Source(s):** Baltimore City; Department of Budget and Management; Department of Labor, Licensing and Regulation; Department of Transportation (Motor Vehicle Administration, Minority Business Enterprise, State Highway Administration); Prince George's and Wicomico counties

**Fiscal Note History:** First Reader - February 14, 1997  
nrd Revised - House Third Reader - March 26, 1997

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