

Department of Legislative Services

Maryland General Assembly

2012 Session

FISCAL AND POLICY NOTE

House Bill 1202 (Delegate Ready, *et al.*)
Health and Government Operations

Public Information Act - Required Denials - Newsletters Sent by Public Officials

This bill requires a custodian of records under the Maryland Public Information Act (MPIA) to deny inspection of the part of a public record that includes the electronic mail addresses of individuals who were sent a newsletter from a public official of the State, a county, or a municipality that was (1) sent by mass electronic mailing; (2) intended to be for informational purposes only; and (3) related to the official duties of the public official.

Fiscal Summary

State Effect: None. The bill is procedural and does not materially affect State finances.

Local Effect: None. The bill is procedural and does not materially affect State finances.

Small Business Effect: None.

Analysis

Current Law: MPIA grants the public a broad right of access to records that are in the possession of State and local government agencies. The Act's basic mandate is to enable people to have access to government records without unnecessary cost or delay. Custodians have a responsibility to provide such access unless the requested records fall within one of the exceptions in the statute. A custodian must deny any inspection of certain public records, including, for example, adoption records, welfare records, and certain hospital records. A custodian must deny inspection of certain other public records only in part. For example, a custodian must deny inspection of the part of a public record that contains the home address or telephone number of a public employee.

A “custodian” is defined under MPIA as the official custodian or other authorized individual with physical custody and control of a public record.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Budget and Management, Maryland Association of Counties, Maryland Stadium Authority, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2012
mc/hlb

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