

HB1051/623424/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1051  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Wu” and substitute “Wu, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kerr, Kipke, R. Lewis, Lopez, Martinez, M. Morgan, Pena–Melnyk, Reilly, Rosenberg, Szeliga, Taveras, White, and Woods”; in line 4, after the first “of” insert “authorizing an applicant to appeal a certain decision issued by the State Public Information Act Compliance Board;”; in lines 5 and 6, strike “State Public Information Act Compliance”; after line 7, insert:

“BY repealing and reenacting, without amendments,

Article - General Provisions

Section 4–101(a) through (c)

Annotated Code of Maryland

(2019 Replacement Volume and 2022 Supplement)”;

and in line 10, after “Section” insert “4–1A–10 and”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“4–101.

(a) In this title the following words have the meanings indicated.

(b) “Applicant” means a person or governmental unit that asks to inspect a public record.

(c) “Board” means the State Public Information Act Compliance Board.

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4-1A-10.

(a) A person or governmental unit need not exhaust the administrative remedy under this subtitle before filing suit.

(b) (1) Except as otherwise provided in this subtitle, AN APPLICANT, a complainant, or A custodian may appeal the decision issued by the Board under this subtitle in accordance with § 4-362 of this title.

(2) An appeal under this subsection automatically stays the decision of the Board pending the circuit court's decision.”;

and in line 22, strike “a complainant or custodian” and substitute “AN APPLICANT, A COMPLAINANT, OR A CUSTODIAN”.

On page 2, in line 3, after “(i)” insert “FOR APPEALS OF DECISIONS BY THE BOARD ISSUED IN ACCORDANCE WITH THE BOARD’S AUTHORITY UNDER § 4-1A-04(B) OF THIS TITLE, THE APPLICANT RESIDES OR HAS A PRINCIPAL PLACE OF BUSINESS;

(II)”;

and in line 4, strike “(ii)” and substitute “(III)”.