

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 669

(Senator Charles)

Judicial Proceedings

Health and Government Operations

State Government - Attorney General - Publication of Documents

This bill repeals the requirement that the Office of the Attorney General (OAG) annually publish its annual report and opinions of the Attorney General from the preceding year in a bound volume; instead, OAG must publish the specified reports on its website.

Fiscal Summary

State Effect: The bill is not expected to have a material effect on State operations or finances, but OAG may experience administrative efficiencies as a result of the bill.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law:

Office of the Attorney General – Reports

The Attorney General acts as legal counsel to the Governor; the General Assembly; the Judiciary; and all departments, boards, and commissions (except the Maryland Commission on Civil Rights, the Public Service Commission, and the State Ethics Commission). Among other things, the Attorney General must annually have published, in bound volume (1) the opinions that OAG issued during the preceding year and (2) the annual report for the preceding year.

Maryland Uniform Electronic Legal Materials Act

Under Title 10, Subtitle 16 of the State Government Article (the Maryland Uniform Electronic Legal Materials Act), a State agency designated as an “official publisher” that publishes legal material only in an electronic record must designate the electronic record as official. To designate the electronic record as official, the official publisher must authenticate the electronic record in a specified manner, take specified actions to preserve and secure the record, and ensure that the material is reasonably available for use by the public on a permanent basis. The Act creates a legal presumption that authenticated legal material in an electronic record is an accurate copy of the legal material.

An “official publisher” includes OAG for an opinion issued by the office; “legal material” includes, whether or not in effect, an opinion issued by OAG.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Office of the Attorney General; Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2024
km/mcr Third Reader - March 18, 2024
Revised - Amendment(s) - March 18, 2024

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