

HOUSE BILL 331

P3

5lr2144
CF SB 296

By: ~~Delegate White-Holland~~ Delegates White Holland, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, Taveras, Woods, and Woorman

Introduced and read first time: January 10, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 22, 2025

CHAPTER _____

1 AN ACT concerning

2 **Public Information Act – Public Access Ombudsman – Delegation of Powers**

3 FOR the purpose of authorizing the Public Access Ombudsman to delegate certain powers
4 and duties to a staff member of the Office of the Public Access Ombudsman; and
5 generally relating to the Public Access Ombudsman.

6 BY repealing and reenacting, without amendments,

7 Article – General Provisions

8 Section 4–1B–01 and 4–1B–02

9 Annotated Code of Maryland

10 (2019 Replacement Volume and 2024 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – General Provisions

13 Section 4–1B–03

14 Annotated Code of Maryland

15 (2019 Replacement Volume and 2024 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – General Provisions**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 4-1B-01.

2 In this subtitle, "Ombudsman" means the Public Access Ombudsman.

3 4-1B-02.

4 (a) There is an Office of the Public Access Ombudsman.

5 (b) Subject to § 4-1A-03(d)(2) of this title, the Office of the Attorney General shall
6 provide office space and staff for the Ombudsman, with appropriate steps taken to protect
7 the autonomy and independence of the Ombudsman.

8 4-1B-03.

9 (a) Subject to subsections (b) and (c) of this section, the Attorney General shall
10 appoint the Ombudsman.

11 (b) The Ombudsman shall have been admitted to practice law in the State.

12 (c) (1) The Office of the Attorney General shall publish, on its website, notice
13 of the Attorney General's intent to consider applicants for the Ombudsman position.

14 (2) The notice shall include:

15 (i) application procedures;

16 (ii) criteria for evaluating an applicant's qualifications; and

17 (iii) procedures for resolving any conflicts of interest.

18 (3) (i) An individual may submit to the Attorney General an application
19 for the Ombudsman position as provided under paragraph (2) of this subsection.

20 (ii) The Office of the Attorney General shall post on its website the
21 names and qualifications of applicants.

22 (d) (1) The term of the Ombudsman is 4 years.

23 (2) At the end of a term, the Ombudsman continues to serve until a
24 successor is appointed and qualifies.

25 (3) An Ombudsman who is appointed after a term begins serves for the
26 remainder of the term until a successor is appointed and qualifies.

27 (e) The Ombudsman shall be a full-time State employee.

1 (f) The Ombudsman is entitled to an annual salary as provided for in the State
2 budget.

3 (g) **THE OMBUDSMAN MAY DELEGATE TO A STAFF MEMBER OF THE OFFICE**
4 **OF THE PUBLIC ACCESS OMBUDSMAN ANY OF THE POWERS AND DUTIES GRANTED**
5 **TO THE OMBUDSMAN UNDER THIS SUBTITLE THAT ARE APPROPRIATE TO THE STAFF**
6 **MEMBER'S TRAINING AND EXPERTISE.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.