

# SENATE BILL 296

P3

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CF HB 331

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By: **Senator Augustine**

Introduced and read first time: January 10, 2025

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

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**

19 4–1B–01.

20 In this subtitle, “Ombudsman” means the Public Access Ombudsman.

21 4–1B–02.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 4–1B–03.

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

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

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

10 (2) The notice shall include:

11 (i) application procedures;

12 (ii) criteria for evaluating an applicant’s qualifications; and

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

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

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

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

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

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

23 (e) The Ombudsman shall be a full–time State employee.

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

26 **(G) THE OMBUDSMAN MAY DELEGATE TO A STAFF MEMBER OF THE OFFICE**  
27 **OF THE PUBLIC ACCESS OMBUDSMAN ANY OF THE POWERS AND DUTIES GRANTED**  
28 **TO THE OMBUDSMAN UNDER THIS SUBTITLE.**

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

