

HOUSE BILL 304

P3

6lr1321

By: **Delegate Grammer**

Introduced and read first time: January 15, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Public Information Act – Data Manipulation**

3 FOR the purpose of establishing that a new public record is not created if, in responding to
4 a certain request under the Public Information Act, a custodian conducts certain
5 data manipulation; and generally relating to data manipulation and the Public
6 Information Act.

7 BY repealing and reenacting, with amendments,
8 Article – General Provisions
9 Section 4–205(c)
10 Annotated Code of Maryland
11 (2019 Replacement Volume and 2025 Supplement)

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

14 **Article – General Provisions**

15 4–205.

16 (c) (1) Except as provided in paragraph (2) of this subsection, the custodian of
17 a public record shall provide an applicant with a copy of the public record in a searchable
18 and analyzable electronic format if:

19 (i) the public record is in a searchable and analyzable electronic
20 format;

21 (ii) the applicant requests a copy of the public record in a searchable
22 and analyzable electronic format; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(iii) the custodian is able to provide a copy of the public record, in whole or in part, in a searchable and analyzable electronic format that does not disclose:

1. confidential or protected information for which the custodian is required to deny inspection in accordance with Subtitle 3, Parts I through III of this title; or

2. information for which a custodian has chosen to deny inspection in accordance with Subtitle 3, Part IV of this title.

(2) The State Department of Assessments and Taxation is not required to provide an applicant with a copy of the public record in a searchable and analyzable electronic format if the State Department of Assessments and Taxation has provided the public record to a contractor that will provide the applicant a copy of the public record in a searchable and analyzable electronic format for a reasonable cost.

(3) A custodian may remove metadata from an electronic document before providing the electronic document to an applicant by:

(i) using a software program or function; or

(ii) converting the electronic document into a different searchable and analyzable format.

(4) This subsection may not be construed to:

(i) require the custodian to reconstruct a public record in an electronic format if the custodian no longer has the public record available in an electronic format;

(ii) allow a custodian to make a public record available only in an electronic format;

(iii) require a custodian to create, compile, or program a new public record; or

(iv) require a custodian to release an electronic record in a format that would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which the record is maintained.

(5) **(I)** If a public record exists in a searchable and analyzable electronic format, the act of a custodian providing a portion of the public record in a searchable and analyzable electronic format does not constitute creating a new public record.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH APPLIES IF A REQUEST REQUIRES DATA COMPILATION, DATA EXTRACTION, DATA QUERYING, STATISTICAL AGGREGATION, OR ANY OTHER DATA MANIPULATION THAT THE

1 RECORDS DATABASE PROGRAM IS CAPABLE OF PERFORMING TO PRODUCE THE
2 RECORD.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2026.