

SENATE BILL 200

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(PRE-FILED)

6lr0269

CF HB 262

By: Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Information Technology)

Requested: September 26, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Council for Open Data – Membership and Responsibilities**

3 FOR the purpose of renaming the Council on Open Data to be the Council for Open Data;
4 altering the membership, member terms, and responsibilities of the Council; and
5 generally relating to the Council for Open Data.

6 BY repealing and reenacting, without amendments,

7 Article – State Government

8 Section 10-1501(a)

9 Annotated Code of Maryland

10 (2021 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – State Government

13 Section 10-1501(b) and (c), 10-1503, and 10-1504

14 Annotated Code of Maryland

15 (2021 Replacement Volume and 2025 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – State Government**

19 10-1501.

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

21 (b) “Council” means the Council **[on]** FOR Open Data.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(c) (1) "Data" means [final versions of] statistical or factual information that:

(i) are in alphanumeric or geospatial form reflected in a list, table, , or other nonnarrative format that can be digitally transmitted or

5 (ii) are regularly created or maintained by or on behalf of a
6 governmental entity; and

(2) "Data" does not include draft versions of statistical or factual information that are used for internal analysis by a governmental entity.

12 10-1503.

(a) There is a Council [on] FOR Open Data.

(b) The Council consists of the following [37] 11 members:

(1) the Secretary of Agriculture;

(2) the Secretary of the Environment;

(3) the Secretary of Natural Resources;

(4) the Secretary of Planning;

(5) the Secretary of Transportation;

(6) the Secretary of Housing and Community Development;

(7) the Secretary of Commerce;

(8) the Secretary of General Services;

(9) the State Superintendent of Schools;

(10) the Secretary of Health;

(11) the Secretary of Information Technology;

(12) the Secretary of Public Safety and Correctional Services;

- (13) the Secretary of State Police;
- (14) the Director of Assessments and Taxation;
- (15) the Secretary of Budget and Management;
- (16) the Adjutant General of the Military Department;
- (17) the Secretary of Emergency Management;
- (18) the Secretary of Labor;
- (19) the Secretary of Human Services;
- (20) the Director of the Governor's Office of Performance Improvement;
- (21) the Governor's Homeland Security Advisor;
- (22) the Executive Director of the Governor's Office of Crime Prevention and

- (23) the Executive Director of the Maryland Institute for Emergency Services Systems;
- (24) the Executive Director of the Department of Legislative Services;
- (25) the State Archivist;]

- [26] (1)** one member of the Senate of Maryland, appointed by the Senate;
- [27] (2)** one member of the House of Delegates of Maryland, appointed by the House;

(3) THE STATE CHIEF DATA OFFICER;
- [28] (4)** [five] **THREE** elected officials or employees from local entities with knowledge of and interest in open data, appointed by the Governor in accordance with subsection (d) and (e) of this section; and

- [29] (5)** five members from the private, private utility, academic, or sectors who have knowledge of and interest in open data, appointed by the Governor in accordance with subsection (e) of this section.

9 (d) Of the [five] **THREE** elected officials or employees from local entities
10 appointed by the Governor under subsection [(b)(28)] **(B)(4)** of this section, one shall
11 represent each of the following groups of counties:

12 (1) Allegany County, **CARROLL COUNTY**, Frederick County, Garrett
13 County, and Washington County;

17 (3) (2) Anne Arundel County, BALTIMORE CITY, BALTIMORE
18 COUNTY, Calvert County, Charles County, [and] HOWARD COUNTY, MONTGOMERY
19 COUNTY, PRINCE GEORGE'S COUNTY, AND St. Mary's [County];

20 (4) Montgomery County and Prince George's County; and

25 (e) (1) This subsection applies to members of the Council appointed under
26 subsection [(b)(28)] **(B)(4)** and [(29)] **(5)** of this section.

27 (2) The term of a member is 4 years[, except that five members may serve
28 an initial 3-year term as required by the terms provided for staggered members of the
29 Council on July 1, 2014].

3 (5) A member may not serve more than two consecutive terms.

4 (6) The Governor may remove a member for neglect of duty, incompetence,
5 or misconduct.

6 (f) A member of the Council may not receive compensation but is entitled to
7 reimbursement for expenses under the Standard State Travel Regulations as provided in
8 the State budget.

9 (g) [(1)] The [Secretary of Information Technology] STATE CHIEF DATA
10 OFFICER is the Chair of the Council.

11 [(2) The Director of the Governor's Office of Performance Improvement is
12 the Vice Chair of the Council.]

13 (h) The staffing responsibilities of the Council shall be shared by the Department
14 of Information Technology[, the Governor's Office of Performance Improvement,] and any
15 [other] staff designated by the Governor.

18 (j) The Council shall meet at least twice each year.

19 10-1504.

20 (a) The Council shall promote the policy established under § 10–1502 of this
21 subtitle by:

22 (1) providing guidance and policy recommendations and when appropriate
23 recommend legislation and regulations for:

24 (i) procedures, standards, and other deliverables for open data,
25 including for open data portals;

26 (ii) promotion, advertising, and marketing of open data; and

27 (iii) best practices for sharing open data while taking into account
28 privacy and security concerns;

(2) ADVISING ON DATA INITIATIVES AND PRIORITIES;

4 [(2)] (4) coordinating the appropriate staff at each State entity for the
5 development, maintenance, and use of open data and open data portals;

6 [(3)] (5) (i) identifying the collective cost of operating and investing in
7 open data and funding mechanisms to support open data; and

8 (ii) advising the Governor and General Assembly on budget matters
9 related to open data;

10 [(4)] (6) inviting and encouraging local entities and the legislative and
11 judicial branches to:

12 (i) use open data portals established by State entities;

13 (ii) create their own open data portals; and

(iii) adopt policies consistent with the policy established under § 10–1502 of this subtitle;

16 [(5)] (7) establishing a plan for providing all open data to the public at no
17 cost;

18 [6] (8) advocating for sound records management and data preservation
19 practices; and

20 **[7] (9)** making recommendations to ensure that the purchase of new
21 data processing devices, systems, and software by the State includes a review of compliance
22 with the open data policy established under § 10–1502 of this subtitle and interoperability
23 with current technology used by the State.

24 (b) On or before January 10 of each year, the Council shall report to the Governor
25 and the General Assembly, in accordance with § 2-1257 of this article, on the activities of
26 the Council for the previous year and any recommendations for legislation.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2026.