

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 262 (Chair, Government, Labor, and Elections
Committee)(By Request - Departmental - Information
Technology)
Government, Labor, and Elections

State Government – Council for Open Data – Membership and Responsibilities

This departmental bill modifies the name, membership, and responsibilities of the Council on Open Data. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: The bill’s requirements can be handled using existing budgeted resources. Revenues are not affected.

Local Effect: The bill does not materially affect local government operations or finances.

Small Business Effect: The Department of Information Technology (DoIT) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Bill Summary: The name of the Council on Open data is changed to the Council for Open Data. The number of members on the council is reduced from 37 to 11. The council is comprised of the State Chief Data Officer, who must serve as chair of the council, and specified government and nongovernment representatives.

The responsibilities of the council are expanded to include (1) advising on data initiatives and priorities and (2) identifying and exploring the means by which partnerships may be developed and strengthened to connect Maryland data with communities and social service

organizations. Additionally, the definition of “data” that must be considered by the council is modified to mean *all* statistical or factual information that meets specified requirements instead of only the *final version* of any such information.

Current Law: Chapter 69 of 2014 established the Council on Open Data and established that it is the policy of the State that open data be machine readable and released to the public in ways that make the data easy to find, accessible, and usable, including through the use of open data portals. The council is chaired by the Secretary of Information Technology and must be staffed by DoIT, the Governor’s Office of Performance Improvement, and any other staff designated by the Governor. The council must meet at least twice per year and may establish workgroups as necessary to complete its duties. The council must promote the aforementioned State policy on open data by:

- providing guidance and policy recommendations related to open data, as specified;
- coordinating the appropriate staff at each State entity for the development, maintenance, and use of open data and open data portals;
- identifying specified operational and investment costs related to open data and advising the Governor and General Assembly on budget matters related to open data;
- inviting and encouraging local entities and the legislative and judicial branches to (1) use open data portals established by State entities; (2) create their own open data portals; and (3) adopt policies consistent with the State policy on open data;
- establishing a plan for providing all open data to the public at no cost;
- advocating for sound records management and data preservation practices; and
- making specified recommendations concerning the purchase of new data processing devices, systems, and software by the State.

By January 10 of each year, the council must report to the Governor and General Assembly on its activities from the previous year and any recommendations for legislation.

Background: DoIT advises that the bill modernizes the council’s membership and responsibilities to better align with DoIT’s statewide data governance framework. Specifically, the bill ensures that the State Chief Data Officer is represented on the council, ensures the appropriate local government representatives and external stakeholders are represented on the council, and allows the council to focus on technical open data issues, instead of only broader priorities and issues.

Additional Information

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

Designated Cross File: SB 200 (Chair, Education, Energy, and the Environment Committee)(By Request - Departmental - Information Technology) - Education, Energy, and the Environment.

Information Source(s): Department of Information Technology; Department of Legislative Services

Fiscal Note History: First Reader - January 22, 2026
sj/mcr

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: State Government - Council for Open Data - Membership and Responsibilities

BILL NUMBER: HB262

PREPARED BY: Sara Elalamy - DoIT Legislative Director

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

N/A