



City of Havre de Grace

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To: Health and Government Operations Committee

From: City of Havre de Grace

Date: February 11, 2020

Re: House Bill 42 - Public Information Act – Applications for Inspection – Responses and Time Limits

Position: Opposed

The City of Havre de Grace opposes HB42. This legislation would shorten the statutory deadlines custodians have to process a request for public information filed under the Public Information Act (PIA).

The City supports the mandate of the Maryland Public Information Act and supports measures to increase government transparency and accessibility to public information. We believe shortening the statutory deadlines of the PIA would not accomplish this objective and would not give local government adequate time to respond to complex PIA requests precipitating a consequential result for local government and, more importantly, the public.

Municipal governments throughout the State of Maryland are constantly tasked with a wide variety of complex issues while working with limited resources. This legislation would only catalyze that burden. It would result in an increased workload for record custodians, create additional legal and staff expenses, and ultimately would not benefit the public.

We agree with the Public Information Act Compliance Board and the Public Access Ombudsman when they responded to a comment on this topic in the recently published The Final Report on the Public Information Act when they wrote: “shortening the deadlines does nothing to help an agency that is working in good faith to respond to a very large request.” We also agree with their recommendation for a Board with comprehensive PIA jurisdiction that could resolve response time issues.

Due to the increased burden this legislation would have on local government, The City of Havre de Grace is asking the Committee to give HB42 an unfavorable report.