



HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE
House Bill 372
Public Information Act (PIA) - Required Denials for Specific Information -
Sociological Information
February 11, 2020
Unfavorable Report
Patrick Hogan, Vice Chancellor for Government Relations

Chair Pendergrass, Vice Chair Pena-Melnyk and committee members, thank you for the opportunity to share our thoughts on House Bill 372. This bill prohibits a definition of “sociological information” adopted under rules or regulations by an official custodian of a public record from including an individual’s personal address. The current statute provides that sociological information must be withheld from disclosure. However, it also provides that agencies may designate information that they consider to be “sociological information.

University System of Maryland (USM) institutions will not be able to rely upon the “sociological information” exception to withhold personal addresses even though some institutions may include personal addresses within their definitions of sociological information. Under House Bill 372, USM institutions will no longer be able to withhold personal addresses on this basis.

The PIA currently has a provision under 4-330 which permits state agencies to define "sociological information (SI)." SI shall not be released. This tool is in place to provide the USM institutions with flexibility in order to protect sensitive records and information not currently contemplated by the PIA's limited exemptions. House Bill 372 attempts to eliminate "personal addresses" as a category of information that can be protected under 4-330.

Here are several scenarios if House Bill 372 becomes law:

Personal addresses of our donors? No protection. Student personal addresses? Protection is limited. Currently, institutions can only protect a student's personal address if it is being requested for a commercial purpose. This is often challenged by requesters under Section 4-355. Personal addresses of our vendors? No protection. Personal addresses of the hundreds K-12 students who attend camps at USM institutions? No protection. Personal addresses of those who purchase tickets to athletic events? No protection. Personal addresses of admitted students who did not matriculate to system institution (and those who applied to but were not admitted)? No protection.

As the law stands, USM can protect personal addresses which are not currently/sufficiently protected.

Thank you for allowing the USM to share our thoughts regarding House Bill 372 and we urge an unfavorable report.