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Sponsor Testimony in SUPPORT of HB 372
Public Information Act - Required Denials for Specific Information -
Sociological Information

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House Bill 372 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 term “Sociological information” has its roots in the original Maryland Public Information Act, enacted in 1970, which required denial of inspection of records that are “*medical, psychological and sociological data on individual persons, exclusive of coroner’ autopsy reports.*”

Despite its health and social services context, “sociological data” was not defined. This led to inconsistent application, so the law was amended in 1982 as recommended by a [report of The Governor’s Information Practices Commission](#).

Experience under the Act has shown a substantial inconsistency in the way agencies apply the existing exemption to public disclosure for "sociological data". Because of this inconsistency, the Commission is recommending that agencies employing the exemption be required to adopt rules and regulations which define and clarify the meaning of sociological data for their agencies.

A custodian must deny “Sociological information” if it is defined by rule or regulation. Since 1982, there have been 15 regulations enacted in COMAR. Some agencies have stayed true to the original legislative intent to protect health and social services related information of individuals, but others agencies have overreached by defining it broadly beyond this context. For example, the Maryland Department of Transportation in 2014 enacted COMAR 11.1.13.02, requiring denial of a “personal address” by defining it as “sociological information.”

MDOT used this definition recently as part of their justification to avoid revealing the list of specific properties affected by their proposal to widen I495 and I270 with private toll lanes.

House Bill 372 is intended to close this loophole by excluding this specific type of broad denial.

I look forward to working with the committee and subcommittee on House Bill 372 and ask for your favorable report.