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The Maryland House of Delegates
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Sponsor Testimony in SUPPORT of HB 717
Public Information Act - Required Denials - Distribution Lists
February 11, 2020

House Bill 717 amends the MPIA to define a “distribution list” as a list of recipients who have affirmatively opted to receive information or alerts and (2) narrows an existing requirement pertaining to the denial of inspection of distribution lists. The bill requires a custodian of a public record to deny inspection of only *the part of* a specified distribution list – and a request to be added to a distribution list – that identifies a physical address, an email address, or a telephone number of an individual. In addition, the bill excludes distribution lists used for the sole purpose of sending informational notices from the bill’s requirements.

North Chevy Chase is a municipality in my district located adjacent to the capitol beltway (I495). They contacted me after citizens began receiving letters from the Maryland Department of Transportation notifying them that workers will be entering their properties to survey for the proposed widening using private toll lane.

I contacted MDOT on their behalf to request a list of the affected properties. MDOT denied the request, citing section 4-341 of the MPIA (enacted in 2018) and calling their mail merge, a distribution list. They did admit that over 3,700 properties received these notices along the entire length of the I495 and I270:

The problem is that 4-341 does not define "distribution list" or "informational notices" and does not allow for the possibility of redaction. HB717 appropriately narrows 4-341 to correct these problems and prevent its misuse by agencies wanting to avoid collaboration.

The Office of the Attorney General has confirmed that HB717 would address this problem. An early draft of the bill was shared with MML and the final text reflects their input.

I look forward to working with the committee and subcommittee on House Bill 717 and ask for your favorable report.

