

**Subject: Opposition to Senate Bill 554 - Public Information Act – Frivolous, Vexatious, or Abusive Requests – Remedies**

Dear Members of the Education, Energy, and the Environment Committee,

I am writing to express my opposition to Senate Bill 554, which seeks to address frivolous, vexatious, or abusive requests under the Public Information Act (PIA). While the intent to streamline the process and reduce the burden on custodians of public records is understandable, I have several concerns regarding the provisions outlined in this bill:

1. **Potential for Misuse:** The bill grants significant discretion to the Public Information Act Compliance Board (PIACB) and circuit courts to determine whether a request is frivolous, vexatious, or abusive. This broad discretion could lead to the misuse of power, where legitimate requests for information are unjustly dismissed or ignored. It is essential to ensure that the rights of individuals seeking information are protected and that the process remains transparent and fair.
2. **Chilling Effect on Public Access:** The bill's provisions may deter individuals from exercising their right to access public records due to fear of being labeled as frivolous or vexatious. This could have a chilling effect on public access to information, undermining the principles of transparency and accountability that the PIA is designed to uphold. It is crucial to strike a balance between addressing abusive requests and preserving the public's right to information.
3. **Impact on Accountability and Oversight:** The ability to file complaints and seek information is a vital tool for holding government agencies accountable. By potentially limiting access to public records, Senate Bill 554 could hinder efforts to uncover misconduct, inefficiencies, or other issues within government agencies. Ensuring robust oversight and accountability should be a priority, and any measures that restrict access to information must be carefully considered.
4. **Alternative Solutions:** Instead of granting broad powers to dismiss requests, alternative solutions should be explored to address the issue of abusive requests. For example, implementing clearer guidelines and criteria for determining abusive requests, providing additional resources and support to custodians, and promoting mediation and conflict resolution mechanisms could help address the problem without compromising public access to information.

In conclusion, while the goal of addressing frivolous and abusive requests is important, Senate Bill 554's current provisions may have unintended consequences that undermine transparency, accountability, and public access to information. I urge you to reconsider the bill's approach and explore alternative solutions that protect the rights of individuals seeking information while addressing the concerns of custodians.

Thank you for your consideration.

Sincerely,

Greg Buton