



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

February 11, 2025

Committee: House Health and Government Operations Committee

Bill: HB 821 – Public Information Act - Denials - Pending Litigation

Position: Support

Reason for Position:

The Maryland Municipal League supports HB 821, which will allow custodians to deny inspection of records pertaining to pending or reasonably anticipated litigation.

According to the Maryland PIA Manual (19th Ed.), Maryland courts agreed with the reasoning in *NLRB v. Robbins Tire & Rubber Co.*, 437 U.S. 214 (1978) in a 1984 case, that the Maryland Public Information Act was not intended to function as a private discovery tool. HB 821 seems to extend those protections to documents a custodian believes is likely to end up in court pertaining to the government unit or its officer/employee. This does not impact the discover rights of someone involved in litigation.

For these reasons the League respectfully requests that this committee provide a favorable report on House Bill 821. For more information, please contact Justin Fiore, Deputy Director of Advocacy and Public Affairs, at justinf@mdmunicipal.org. Thank you in advance for your consideration.

The Maryland Municipal League uses its collective voice to advocate, empower and protect the interests of our 160 local governments members and elevates local leadership, delivers impactful solutions for our communities, and builds an inclusive culture for the 2 million Marylanders we serve.

47 State Circle, Suite 403 Annapolis, Maryland 21401
(410) 295-9100 www.mdmunicipal.org