



HB015: Public Information Act – Public Records – Nonprofit Organizations

February 10, 2026

Position: Oppose

The Arc Maryland is a statewide training, support, and advocacy organization that is dedicated to advancing and preserving the rights and quality of life of people with intellectual and developmental disabilities.

HB15 would expand the scope of Maryland's Public Information Act by redefining "public records" to include certain documents created or maintained by private nonprofit organizations (NPOs) that receive \$50,000 or more annually in state or local public funds. Under this proposal, NPOs could be subject to public records requests for internal communications and materials simply because they receive public grants and despite being private entities governed by independent volunteer boards.

While transparency in government is important, HB15 would be an intrusive overreach and application of this principle. The Public Information Act exists to promote accountability and transparency in government and was never intended to regulate private entities, even entities that partner with the State to deliver services. NPOs, such as organizations that provide services and supports to individuals with IDD, are already subject to numerous oversight mechanisms including independent financial audits, cost-reporting requirements, federal disclosures, Office of Health Care Quality monitoring and licensing reviews, Developmental Disabilities Administration quality reviews, QIO utilization and quality reviews, Council on Quality and Leadership surveys, and more.

HB15 would also create new and significant administrative and cost burdens for organizations that already struggle with limited funding structures and employee recruitment and retention difficulties. Compliance with public records requests requires legal expertise and staff time for document collection, review, privacy redactions, and timely response. These duties would most certainly require organizations to hire 1 or more additional FTEs to serve as document custodians, as well as an attorney for legal expertise that most NPOs do not currently have on staff due to funding constraints.

NPOs perform vital services to our communities and HB15, if passed, would likely encourage NPOs to decline to accept public funding contracts. This would reduce the provision of important services for the state, including disability services, and other safety net services, dismantling our framework of nonprofit and for profit organizations that provide critical services and supports to and for Marylanders.

Finally, HB15 raises constitutional concerns. Nonprofits routinely engage in advocacy, policy analysis, and community organizing; activities that depend on candid internal conversations and rely on free speech protections. Mandated disclosure of materials that document these activities and conversations may chill speech, discourage participation, and prevent people from engaging with or supporting NPOs that provide support to people in currently sensitive industries including female reproductive health, LGBTQIA+, Addictions, and AIDS and HIV health services.

HB15 is dangerous for the reasons provided and also in the ambiguity it creates: it does not clearly define which NPO records would be subject to PIA disclosure, likely setting the stage for inconsistent compliance, enforcement, and application.

We respectfully request an unfavorable report on HB15.

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