



## TESTIMONY

**COMMITTEE:** House Government, Labor, and Elections

**DATE:** March 31, 2026

**POSITION:** Favorable with Amendments

**BILL:** SB 632

On behalf of the Maryland Municipal League (MML), we support with amendment Senate Bill 632, State Government - State Elected Officials - Protection of Personal Information.

Our organization recognizes the importance of Senate Bill 632 and how the bill protects elected officials from harassment, threats, and the publication of sensitive personal information. However, as currently drafted, the bill presents legal challenges that require an amendment to ensure it is practical to implement.

As drafted, the bill allows for the obligation of attorney fees against governmental entities. Municipal record custodians regularly perform complex legal balancing tests under the Maryland Public Information Act (MPIA). It is essential that staff acting in "good faith" are not subject to punitive monetary damages for discretionary decisions or technical oversights in identifying shielded data.

MML respectfully requests that SB 632 be amended to include an exception to the attorney fees provision for instances when a public employee acts in good faith. Specifically, the amendment would state that attorney fees shall not be awarded when a government entity or its record custodian acted in good faith, including when exercising judgement in applying MPIA exemptions or determining whether the requested data is subject to protection.

MML looks forward to working with the bill sponsors as well as the Committee to refine these details. We believe that by including the amendment above, SB 632 can successfully protect our public servants without penalizing governmental entities. There are administrative and operational realities that may prevent full compliance before remedies such as declaratory relief, injunctive relief, or attorney's fees are imposed.

For these reasons, the League requests a favorable with amendment report on Senate Bill 632.

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For more information relating to this piece of testimony, please contact:

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*MML represents 161 local governments and about 2 million Maryland residents.*