

Hon. Wes Moore
Governor
Hon. Aruna K. Miller
Lt. Governor
Elaine Rice Bachmann
State Archivist and
Commissioner of Land Patents
Mark Letzer
Chairman, Maryland Commission
on Artistic Property



Hall of Records Commission:
Hon. Matthew J. Fader, Chair
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Jay A. Perman, M.D.
Hon. Samuel I. Rosenberg
David Wilson, Ed.D.

February 20, 2026

Dear Chair Wells, Vice Chair Kerr and the Members of the Government, Labor and Elections Committee,

Please accept this letter of information regarding HB576 State Archives - Record Services - Fees (Delegate Griffith) . The Maryland State Archives depends on our fees for services for Special Funds which are required for public operations. These services amount to an average of \$2 million per year in Special Funds and accounts for 20% of our total appropriation. Fees are charged for services such as providing certified hard copies of record materials such as birth, death, marriage and divorce certificates, tax assessment records, and court cases to individuals and for digitization services to other organizations. Fees cover the associated costs of providing services including staffing resources, equipment, and delivery.

The Archives has the vital role of not just preserving and making accessible permanent records of the state of Maryland, but also in providing public transparency in government. The Archives is an independent agency in order for the fulfilment of this duty to remain nonpartisan. Removing the State Archivist's right to set fees for services removes not only the ability to match costs with fees, it threatens the agency's ability to earn the Special Funds that have become a core part of our annual funding for operations. Furthermore, submitting every request for fees to a vote by the Legislature endangers the nonpartisan nature of the work of the Archives.

The Maryland State Archives experienced shifts in the makeup of our operating budget: from FY04-FY16, the fund split was 25%GF/75%SF; from FY17-FY24, the GF contribution increased to 69% as the SF fell to 31% due to the reduced commitment from the Land Record Improvement Fund. FY25-FY27 the GF contribution rises to over 80%. The Archives relies on consistent special fund revenue to fully fund current operations. The Governor's Allowance projects that \$1 million out the Archives total budget of \$11 million will be paid for with Special Funds. The Archives relies on the consistent special fund revenue to offset the deficiency. The passage of this bill will reduce the State Archivist's ability to supplement the GF contribution and ensure that the Archives legal mandates can be fulfilled. No funds have been included in our agency's budget in anticipation of this legislation. **Please note, we were not contacted by the sponsors prior to the bill filing.**

The leadership team of the Archives did discuss a potential amendment with Delegate Griffith, which was intended to allow the State Archivist to maintain the authority to set existing fees but

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would require the regulatory process for any new fees (which would include Maryland Land Records and Plats system). However, there were concerns from the delegate's office regarding the potential amendment as drafted which have yet to be clarified. For the record, Archives' leadership is also working collaboratively with the Public Safety, Transportation and Environment work group subcommittee of the Senate Budget and Taxation Committee on solutions to funding issues related to funding for Maryland Land Records.

By taking on and making accessible permanent records of state, county and municipal government agencies, the Archives is relieving those organizations from bearing the cost for both storage and public access. If the Archives has reduced Special Funds revenue due to constraint on our existing fees, and/or ability to raise fees to meet costs, there will be an impact on our operations and we may be limited in the amount of record material we can take in and make accessible online, limiting access to in-person service. We respectfully request that this be taken into consideration when considering this bill.

Sincerely yours,

A handwritten signature in blue ink, reading "Elaine Rice Bachmann". The signature is fluid and cursive, with the first name "Elaine" being more prominent.

Elaine Rice Bachmann
State Archivist
And Commissioner of Land Patents