

**WRITTEN TESTIMONY**  
**IN SUPPORT OF HB 304 – Public Information Act – Data Manipulation**  
**House Government, Labor, and Elections Committee**  
**January 27, 2026**

**Position:** Favorable

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Publisher, MDBayNews

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## **Introduction**

I respectfully submit this testimony in support of **HB 304**, sponsored by **Robin Grammer**, which clarifies an important and long-contested issue under Maryland’s Public Information Act (MPIA): whether basic data manipulation of existing records constitutes the creation of a “new record.”

As a journalist and publisher focused on Maryland government accountability, I regularly rely on public records to inform the public accurately and efficiently. HB 304 provides necessary clarity that strengthens transparency while remaining fair and reasonable for public agencies.

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## **Why HB 304 Matters**

Under current MPIA practice, agencies sometimes deny or delay requests by asserting that compiling, sorting, querying, or reformatting existing data would require creating a new record—despite the data already existing in government systems.

HB 304 properly clarifies that:

- **A new record is not created** when an agency extracts, compiles, sorts, or reformats data that already exists
- Agencies may not avoid disclosure simply because information is stored in databases rather than paper files
- The law reflects modern data storage realities without imposing unreasonable burdens

This clarification reduces arbitrary denials and promotes consistent compliance across agencies.

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## **Impact on Transparency and Journalism**

For journalists, researchers, and members of the public, access to structured data is essential to

understanding how government actually functions.

Without this clarification:

- Agencies can selectively block access based on how data is stored
- Identical information may be released in one jurisdiction and denied in another
- Requesters are forced into unnecessary appeals and litigation

HB 304 helps ensure that public access depends on **what information exists**, not **how it is technically formatted**.

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## Balanced and Responsible Reform

Importantly, HB 304 does **not**:

- Require agencies to create new data
- Mandate new databases or reporting systems
- Impose significant fiscal or staffing burdens

Instead, it codifies a reasonable standard that many requesters already expect and many agencies already follow.

This is a modest but meaningful improvement that benefits transparency without disrupting government operations.

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## Conclusion

HB 304 strengthens the Maryland Public Information Act by closing a loophole that has allowed unnecessary denials and delays. It modernizes public access standards, supports data-driven journalism, and promotes public trust in government.

For these reasons, I respectfully urge the Committee to issue a **Favorable Report** on HB 304.

Thank you for your time and consideration.

Respectfully submitted,



Michael Phillips