



**TESTIMONY TO THE SENATE EDUCATION, HEALTH AND ENVIRONMENTAL AFFAIRS  
COMMITTEE**

**SB 449 Public Information Act – Revisions (Equitable Access to Records Act)**

**POSITION: Support**

**BY: Lois Hybl and Richard Willson – Co-Presidents**

**Date: February 23, 2021**

The League of Women Voters believes that democratic government depends upon informed and active citizen participation and requires that governmental bodies protect citizens' right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible. This has been a principle of the League since our founding in 1920.

Custodians of public documents should not be in the business of making it difficult for people who have the right to see them to access these materials. Yet, we know that all too often this is exactly what happens. This legislation requires custodians to adopt a **policy of proactive disclosure**. It allows for the policies to vary depending on the type of document and resources of the governmental unit. It requires increased access to public documents by making them more available via the agency's website. This will save time and expense for the custodian and the person seeking access because once posted, agency staff will not have to spend time and expense retrieving and duplicating them.

SB 449 adds accountability to the custodians by requiring them to publish an annual report that includes the number of PIA requests received, the outcome of these requests and the time frame for granting or denying requests as well as the reasons for requests that took more than 30 days to process. It also requires documentation of fees charged and fees waived. This bill improves the make-up of the Public Information Act Compliance Board by requiring at least one member be knowledgeable about electronic records and at least two members shall be attorneys admitted to the Maryland Bar. Additional staff to assist the Public Access Ombudsman, which will increase the efficiency of this office is part of this bill. It also requires detailed reporting of the disputes handled by the Ombudsman and their outcome.

All of these provisions will serve the public well and improve the transparency of Maryland's public bodies.

We urge a favorable report on SB 449.