

Office of the County Auditor
Auditor's Analysis

Council Bill No. 51-2022

Introduced: September 6, 2022

Auditor: Michael A. Martin

Fiscal Impact:

Per the Office of Law (OOL), this legislation would result in the need to create two full-time attorney positions and potentially one part-time paralegal position. Our Office estimates this would create ongoing annual General Fund personnel costs of up to approximately \$351,000 if each employee were hired in the middle of the current pay scale.

Purpose:

This legislation adds a new subtitle, "Maryland Public Information Act – Withholding of Records," to Title 22, "General Provisions," that will require the custodian of such public records to consult with the OOL to determine whether there is legal standing to withhold such information, whether in part or in its entirety.

Other Comments:

Per the OOL, under the current Maryland Public Information Act (MPIA) format, it provides legal support as needed to County staff working on MPIA requests. This support aids in determining if a record should be disclosed or withheld. Such support involves assisting custodians such as the Public Information Office, the Council Administrator, and the Department of Technology and Communication Services when they are unsure whether a record may be withheld. As there are no personnel solely dedicated to address MPIA-related inquiries, the entire legal staff in the OOL contributes to these requests in some manner.