

HOUSE BILL 15

P3

6lr1449

(PRE-FILED)

By: **Delegates M. Morgan, Arikian, Chisholm, Fisher, Grammer, Nawrocki, and Szeliga**

Requested: October 30, 2025

Introduced and read first time: January 14, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Public Information Act – Public Records – Nonprofit Organizations**

3 FOR the purpose of altering the definition of a “public record” under the Public Information
4 Act to include certain documentary material made by certain nonprofit
5 organizations; altering the applicability of certain rules and limitations under the
6 Public Information Act to include certain nonprofit organizations; and generally
7 relating to nonprofit organizations and the Public Information Act.

8 BY repealing and reenacting, without amendments,

9 Article – General Provisions

10 Section 4–101(a)

11 Annotated Code of Maryland

12 (2019 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – General Provisions

15 Section 4–101(k), 4–102, and 4–104

16 Annotated Code of Maryland

17 (2019 Replacement Volume and 2025 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – General Provisions**

21 4–101.

22 (a) In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (k) (1) "Public record" means the original or any copy of any documentary
2 material that:

3 (i) is made by:

4 1. a unit or an instrumentality of the State or of a political
5 subdivision or received by the unit or instrumentality in connection with the transaction of
6 public business; [and] OR

7 2. A NONPROFIT ORGANIZATION THAT RECEIVES
8 \$50,000 OR MORE ANNUALLY FROM STATE GRANTS, STATE BOND PROCEEDS, OR
9 LOCAL IMPACT GRANTS; AND

10 (ii) is in any form, including:

11 1. a card;

12 2. a computerized record;

13 3. correspondence;

14 4. a drawing;

15 5. film or microfilm;

16 6. a form;

17 7. a map;

18 8. a photograph or photostat;

19 9. a recording; or

20 10. a tape.

21 (2) "Public record" includes a document that lists the salary of an employee
22 of a unit or an instrumentality of the State or of a political subdivision OR OF A
23 NONPROFIT ORGANIZATION DESCRIBED UNDER PARAGRAPH (1) OF THIS
24 SUBSECTION.

25 (3) "Public record" does not include:

26 (i) a digital photographic image or signature of an individual, or the
27 actual stored data of the image or signature, recorded by the Motor Vehicle Administration;
28 or

(ii) a record or any information submitted to the Public Access
Ombudsman or the Board under Subtitle 1B of this title.

3 4-102.

4 The State, a political subdivision, [or] a unit of the State or of a political subdivision,
5 **OR A NONPROFIT ORGANIZATION** may keep only the information about a person that:

6 (1) is needed by the State, the political subdivision, [or] the unit, **OR THE**
7 **NONPROFIT ORGANIZATION** to accomplish a governmental purpose that is authorized or
8 required to be accomplished under:

(i) a statute or any other legislative mandate;

10 (ii) an executive order of the Governor;

(iii) an executive order of the chief executive of a local jurisdiction; or

12 (iv) a judicial rule; and

13 (2) is relevant to accomplishment of the purpose.

14 4-104.

15 (a) Each official custodian shall adopt a policy of proactive disclosure of public
16 records that are available for inspection under this title.

17 (b) The policy adopted under subsection (a) of this section may:

(1) vary as appropriate to the type of public record and to reflect the staff and budgetary resources of the governmental unit **OR NONPROFIT ORGANIZATION**; and

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2026.