

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2022 Legislative Session

Legislative Day No. **13**

Bill No. 51 -2022

Introduced by:
David Yungmann

AN ACT amending the Howard County Code to require all Howard County officials involved in the Maryland Public Information Act request process seek a formal review by the Howard County Office of Law before declaring any documents, emails, or materials as privileged; and generally relating Maryland Public Information Act requests.

Introduced and read first time _____, 2022. Ordered posted and hearing scheduled.

By order _____
Michelle R. Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2022.

By order _____
Michelle R. Harrod, Administrator

This Bill was read the third time on _____, 2022 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Michelle R. Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2022 at ___ a.m./p.m.

By order _____
Michelle R. Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2022

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 *By adding a new:*

4 Title 22. “General Provisions”

5 Subtitle 11. “Maryland Public Information Act – Withholding of Records.”

6

7 **HOWARD COUNTY CODE**

8

9 **Title 22 – General Provisions**

10

11

12 **SEC. 22.1100. MARYLAND PUBLIC INFORMATION ACT – WITHHOLDING OF RECORDS.**

13 BEFORE WITHHOLDING A PUBLIC RECORD, OR PART OF A PUBLIC RECORD, UNDER THE MARYLAND
14 PUBLIC INFORMATION ACT, SECTIONS 4-101 *ET SEQ.* OF THE GENERAL PROVISIONS ARTICLE OF
15 THE ANNOTATED CODE OF MARYLAND, A CUSTODIAN SHALL CONSULT WITH THE OFFICE OF LAW
16 ABOUT THE PUBLIC RECORD FOR ADVICE ON WHETHER THERE IS A LEGAL BASIS TO WITHHOLD THE
17 PUBLIC RECORD, IN PART OR IN ITS ENTIRETY.

18

19 **Section 2. *And Be It Further Enacted*** by the County Council of Howard County,
20 Maryland, that this Act shall become effective 61 days after its enactment.