

Maryland – State Public Record Laws

Citations	<p>Annotated Code of Maryland State Government §10-611 et seq. http://www.dbm.maryland.gov/eo/Documents/PublicInfoAct_AppenC.pdf</p>
Exemptions to Disclosure	<ul style="list-style-type: none"> • Work product • Inter- and intra-office memoranda • Inventions owned by State public institution of higher education [unless already published; already licensed or disclosed in writing to institution for at least 4 years] • Confidential info • Trade secrets • Site-specific locations of certain plants, animals, or property • “(d)(1) Subject to paragraph (2) of this subsection, a custodian may deny inspection of a public record that contains the specific details of a research project that an institution of the State or of a political subdivision is conducting. (2) A custodian may not deny inspection of the part of a public record that gives only the name, title, expenditures, and date when the final project summary will be available,” and “(h) (1) Subject to paragraph (2) of this subsection, a custodian may deny inspection of that part of a public record that contains information disclosing or relating to an invention owned in whole or in part by a State public institution of higher education for 4 years to permit the institution to evaluate whether to patent or market the invention and pursue economic development and licensing opportunities related to the invention.” Maryland Statute 10-618-D, H • Confidential information owned by a public institution of higher education in collaboration with the private sector if the information is part of a collaborative research and development project, part of a commercial application of institution-owned intellectual property, or part of a provision for technical assistance. • Any research, analysis, or plans compiled by or for the University of Maryland University College relating to its operations or proposed operations. • A proposal generated, received, or negotiated by the University of Maryland University College, other than with its students, for the provision of education services.
Access Rights	<ul style="list-style-type: none"> • All persons • At any reasonable time • Reasonable rules may be adopted by each custodian to govern timely production and inspection of a public record, to prevent unnecessary interference w/ official business and to protect public records • Records immediately available to any requestor may be designated and a list of such records maintained • Must be written request, unless record is listed in list maintained by custodian as available immediately upon request • Recipient of request, if not custodian, must notify and direct requestor to appropriate custodian w/in 10 working days of receipt of request • Must notify requestor of inexistence of record no more than 30 working days after request • Denial of access within 10 working days; include written statement giving reasons and

	<p>legal authority for denial and notice of remedies for review of denial; allow inspection of any part of the record that is subject to inspection and is reasonably severable</p> <ul style="list-style-type: none"> • Any time limit imposed above may be extended up to 30 days with consent of requestor • Access cannot be conditioned on identity or disclosure of purpose of request, unless requestor volunteers this info for custodian to consider in decision of whether grant of access would be contrary to public interest [4-343] • Fees may be waived upon request if custodian determines waiver would be in public interest • No fee for first 2 hours needed to search for record and prepare for inspection • Any reasonable fee for reproduction of record, including cost of providing facilities for reproduction, if custodian lacks such facilities ["reasonable fee" = bearing reasonable relationship to the recovery of actual costs incurred by governmental unit] • Public records in electronic format only if available and if such format is specifically requested
<p>Destruction of Public Records</p>	<ul style="list-style-type: none"> • Must offer records to the State Archivist rather than destroy, in accordance with record retention and disposal schedules • If Archivist declines to accept the record, agency can destroy it with written approval of Archivist • After disposal, must send to Archivist list of records destroyed and certificate of destruction – list will be kept by Archivist and will be available for public inspection at reasonable times. Annotated Code of Maryland State Government Article 10 § 631- 634