



TALBOT COUNTY, MARYLAND
OFFICE OF LAW
&
FINANCE OFFICE

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**DENIAL OF PUBLIC INFORMATION REQUEST TO
REVIEW EXCESS FUNDS LIST**

Beginning in July 2023, the Talbot County Finance Office no longer provides the list of excess funds in response to requests made under the Public Information Act (“MPIA”), Md. Code Ann., General Provisions Article (“GP”), § 4-101 et seq., to individuals that are not persons of interest. The denial is based upon the interpretation of GP § 4-336 prohibiting disclosure of "the part of a public record that contains information about the finances of an individual, including assets, income, liabilities, net worth, bank balances, financial history or activities, or credit worthiness," and further supported by the rationale set forth in both 77 Md. Op. Atty. Gen.188 (1992), and unpublished Opinion No.85 011 (April 15, 1985), issued by the Maryland Attorney General's Office.

The MPIA does require a custodian of records to provide to the public information that, although exempt under the MPIA, may require disclosure under some other law. The Maryland Uniform Disposition of Abandoned Property Act, Md. Code Ann., Commercial Law Article (“CL”) is an example of such a provision where CL § 17-311 requires publication of names and addresses of presumed property owners when the property value exceeds \$ 100.00.

Pursuant to Md. Code Ann., GP § 4-362, you are entitled to seek judicial review of the County’s decision to deny review of the records in the Circuit Court of Talbot County. An alternative is to file your request for review with the Public Access Ombudsman. If the Ombudsman is unable to resolve the matter, you may seek a resolution from the Public Information Act Compliance Board for those matters within that Board’s jurisdiction. *See*, GP §§ 4-1A-01 et seq. and 4-1B-01 et seq.

Sincerely,

/s/ Victoria E. Bradley
Office Manager and
County PIA Representative