MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject	Executive Order No.	Subject Suffix
Extension of MPIA Response Deadlines	119-20	
Department	**Department No.**	**Effective Date**
Office of the County Executive		10/5/2020

BACKGROUND

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by Lawrence J. Hogan, the Governor of the State of Maryland on March 5, 2020, and renewed on March 17, 2020, April 10, 2020, May 6, 2020, June 3, 2020, July 1, 2020, July 30, 2020, August 10, 2020, and on September 8, 2020 to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, on March 12, 2020 Governor Hogan issued State Executive Order entitled, "Extending Certain Licenses, Permits, Registrations, and Other Governmental Authorizations, and Authorizing Suspension of Legal Time Requirements," which was amended and restated by State Executive Order No. 20-06-19-01, which authorizes the head of a local government to suspend the effect of any legal or procedural deadline, due date, time expiration, period of time, or other time of an act or event described within any State or local statute, rule, or regulation that the local government administers upon a finding that the suspension will not endanger the public health, welfare, or safety; and that any such suspension may continue until no later than the 30th day after the date by which the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded;

WHEREAS, the Maryland Public Information Act (the "Act") imposes various deadlines on any governmental unit that receives an application for inspection or copies of government records, which may be found in multiple sections of the Act, namely Md. Code Ann., General Provisions §§4-202, 4-203, and 4-358;

WHEREAS, given the operational challenges presented by the present COVID-19 state of emergency and catastrophic health emergency, the concomitant constraints caused thereby on County resources; and upon my finding that suspension of the effect of the deadlines contained in the above-referenced sections of the Act will not endanger the public health, welfare, or safety;

IT IS HEREBY ORDERED THAT:

Section 1. Extension of Deadlines

The deadlines imposed under §§4-202, 4-203, and 4-358 of the Act are hereby suspended for any request for inspection or copies of records pending before or filed with any agency or unit of the Montgomery County Government on or after the date of this Order (regardless of whether that

deadline has already passed). The deadlines contained in the above-referenced sections of the Act are extended until the 30th day after the Governor has terminated the state of emergency and rescinded the proclamation of the catastrophic health emergency.

Section 2. Directive to Departments.

Each custodian of records should provide a copy of this Order to a person requesting a record under the Act, and (if practical) a non-binding estimate as to when the custodian will respond to the request.

Section 5. Effective Date.

This Order shall take full force and effect immediately.

By: _____
MARC ELRICH
County Executive

Approved as to form and legality:
Office of the County Attorney

By: _____
Silvia C. Kinch, Division Chief

Date: 10/5/2020