

SB0449/824435/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 449

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “information;” in line 10; and in line 28, after “request;” insert “providing that a custodian may not be required to produce a certain record for Board review under certain circumstances; authorizing the Board to request certain information from the custodian;”.

On page 2, strike beginning with “requiring” in line 15 down through “information;” in line 17; in line 21, after “terminology;” insert “providing for the application of this Act;”; in line 23, after “date;” insert “providing for a delayed effective date;”; and in line 37, strike “and 4–105”.

AMENDMENT NO. 2

On page 3, in line 26, after “**THE**” insert “**PUBLIC ACCESS OMBUDSMAN OR THE**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 13 on page 4 through line 15 on page 5, inclusive.

On page 7, in line 12, strike “**FOUR**” and substitute “**TWO**”; in line 23, strike “**\$200;**” and substitute “**\$350; OR**”; and strike beginning with “**UNREASONABLY**” in line 24 down through “**(IV)**” in line 26.

On page 8, in line 6, after the semicolon insert “**OR**”; and strike beginning with “**IF**” in line 7 down through “**(IV)**” in line 10.

(Over)

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On page 10, in line 7, strike “**45**” and substitute “**30 CALENDAR**”; in line 17, after “**30**” insert “**CALENDAR**”; and in line 30, after “**RECORD;**” insert “**OR**”.

On page 11, strike beginning with “**; OR**” in line 3 down through “**REQUEST**” in line 6; after line 6, insert:

“(3) (I) IF THE COMPLAINT ALLEGES THAT THE CUSTODIAN DENIED INSPECTION OF A PUBLIC RECORD UNDER § 4-301(A)(2)(II) OF THIS TITLE, THE CUSTODIAN MAY NOT BE REQUIRED TO PRODUCE THE PUBLIC RECORD FOR BOARD REVIEW.

“(II) THE BOARD MAY REQUEST INFORMATION ABOUT THE PUBLIC RECORD FROM THE CUSTODIAN.”;

in lines 7, 10, 13, and 16, strike “**(3)**”, “**(4)**”, “**(5)**”, and “**(6)**”, respectively, and substitute “**(4)**”, “**(5)**”, “**(6)**”, and “**(7)**”, respectively; in line 13, after “**LIABLE**” insert “**UNDER MARYLAND LAW**”; in line 20, after “**30**” insert “**CALENDAR**”; and in line 26, after “**30**” insert “**CALENDAR**”.

On page 12, in line 9, after “**30**” insert “**CALENDAR**”.

On page 14, in line 1, after “**90**” insert “**CALENDAR**”.

On pages 14 and 15, strike in their entirety the lines beginning with line 29 on page 14 through line 9 on page 15, inclusive.

AMENDMENT NO. 3

On page 16, after line 8, insert:

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“SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be applied or interpreted to have any effect on or application to any exceptions to disclosure requirements in Title 4 of the General Provisions Article.”;

in line 9, strike “3.” and substitute “4.”; and in line 10, strike “October 1, 2021” and substitute “July 1, 2022”.