

SENATE BILL 642

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2004 Regular Session
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By: **Senator Astle**

Introduced and read first time: February 6, 2004

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2004

CHAPTER 297

1 AN ACT concerning

2 **Natural Resources - Boating - Disclosure of Personal Information**

3 FOR the purpose of providing an additional exception to a certain prohibition on the
4 disclosure of personal information by the Department of Natural Resources to
5 certain business entities or their agents, employees, or contractors under certain
6 circumstances; and generally relating to the disclosure of personal information
7 by the Department.

8 BY repealing and reenacting, with amendments,
9 Article - Natural Resources
10 Section 8-704.1
11 Annotated Code of Maryland
12 (2000 Replacement Volume and 2003 Supplement)

13 BY adding to
14 Article - State Government
15 Section 10-616(s)
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2003 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Natural Resources

2 8-704.1.

3 (a) Except as provided in subsection (b) of this section, upon written request
 4 by the owner of a vessel registered under this subtitle that information about that
 5 person not be disclosed, the Department may not furnish to any person the name,
 6 address, or other identifying information about the owner of the registered vessel.

7 (b) This section does not prevent the Department from furnishing information
 8 under this section:

9 (1) To another governmental agency;

10 (2) If not requested for the purpose of preparing a mailing list, to a
 11 person requesting the information in connection with the compilation of statistical
 12 data; [or]

13 (3) As to the owners of vessels registered under this subtitle, to a person
 14 whose request for the information is determined by the Department to be limited to,
 15 and necessary for, the protection of the ownership, safe operation, proper
 16 maintenance, or repair of the vessel; OR

17 (4) TO A LEGITIMATE BUSINESS ENTITY FINANCIAL INSTITUTION, AS
 18 DEFINED IN § 1-101(I) OF THE FINANCIAL INSTITUTIONS ARTICLE, OR ITS AGENTS,
 19 EMPLOYEES, OR CONTRACTORS, REQUESTING INFORMATION UNDER § 10-616(S) OF
 20 THE STATE GOVERNMENT ARTICLE.

21

Article - State Government

22 10-616.

23 (S) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
 24 CUSTODIAN MAY NOT KNOWINGLY DISCLOSE A PUBLIC RECORD OF THE
 25 DEPARTMENT OF NATURAL RESOURCES CONTAINING PERSONAL INFORMATION.

26 (2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A
 27 CUSTODIAN SHALL DISCLOSE PERSONAL INFORMATION FOR USE IN THE NORMAL
 28 COURSE OF BUSINESS ACTIVITY BY A LEGITIMATE BUSINESS ENTITY FINANCIAL
 29 INSTITUTION, AS DEFINED IN § 1-101(I) OF THE FINANCIAL INSTITUTIONS ARTICLE,
 30 ITS AGENTS, EMPLOYEES, OR CONTRACTORS, BUT ONLY:

31 (I) TO VERIFY THE ACCURACY OF PERSONAL INFORMATION
 32 SUBMITTED BY THE INDIVIDUAL TO THAT ENTITY FINANCIAL INSTITUTION; AND

33 (II) IF THE INFORMATION SUBMITTED IS NOT ACCURATE, TO
 34 OBTAIN CORRECT INFORMATION ONLY FOR THE PURPOSE OF:

35 1. PREVENTING FRAUD BY THE INDIVIDUAL;

