
By: **Delegates Arnick, Dumais, and Simmons**
Introduced and read first time: February 3, 2005
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 1, 2005

CHAPTER_____

1 AN ACT concerning

2 **Public Records - Prohibition on Inspection of Retirement Records -**
3 **Exceptions**

4 FOR the purpose of requiring a custodian of a public record to allow inspection of a
5 retirement record when the record is requested by a party or by the attorney
6 representing a party in a divorce, alimony, ~~custody~~, or child support case; and
7 generally relating to the inspection of retirement records.

8 BY repealing and reenacting, without amendments,
9 Article - State Government
10 Section 10-616(g)(1)
11 Annotated Code of Maryland
12 (2004 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article - State Government
15 Section 10-616(g)(2)
16 Annotated Code of Maryland
17 (2004 Replacement Volume)

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

1

Article - State Government

2 10-616.

3 (g) (1) Subject to paragraphs (2) through (7) of this subsection, a custodian
4 shall deny inspection of a retirement record for an individual.

5 (2) A custodian shall permit inspection:

6 (i) by the person in interest;

7 (ii) by the appointing authority of the individual;

8 (iii) after the death of the individual, by a beneficiary, personal
9 representative, or other person who satisfies the administrators of the retirement and
10 pension systems that the person has a valid claim to the benefits of the individual;
11 [and]

12 (iv) by any law enforcement agency in order to obtain the home
13 address of a retired employee of the agency when contact with a retired employee is
14 documented to be necessary for official agency business; AND

15 (V) BY A PARTY OR BY THE ATTORNEY OF RECORD REPRESENTING
16 A PARTY IN A DIVORCE, ALIMONY, CUSTODY, OR CHILD SUPPORT CASE IN ORDER TO
17 OBTAIN THE RETIREMENT RECORD OF AN INDIVIDUAL WHO IS A PARTY TO THE
18 CASE.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2005.