

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 323
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in the sponsor line, after “Conroy,” insert “D. Davis,”; in the same line, after “Glassman,” insert “Gutierrez,”; in the same line, after “Hogan,” insert “Holmes,”; in the same line, after “Kullen,” insert “Lee,”; in the same line, after “McKee,” insert “Menes,”; in the same line, after “Parrott,” insert “Proctor,”; in the same line, after “Shewell,” insert “Simmons,”; in the same line, after “Taylor,” insert “Vallario,”; in line 2, strike “Electronic”; in the same line, strike “Personal Information -” and substitute “Names and Identities of”; in the same line, after “Witnesses” insert “- Remote Access”; and strike beginning with “prohibiting” in line 3 down through “measure;” in line 10 and substitute “requiring a certain custodian of records to prevent remote access to certain information under certain circumstances; creating certain exceptions;”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 11 through 20, inclusive, and substitute:

“BY adding to

Article - Criminal Procedure

Section 11-105

Annotated Code of Maryland

(2001 Volume and 2005 Supplement)”.

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 1 on page 2 through line 3 on page 5, inclusive, and substitute:

“Article - Criminal Procedure

(Over)

11-105.

(A) THIS SECTION DOES NOT APPLY TO REMOTE ACCESS TO:

(1) COURT RECORDS IN ELECTRONIC FORM BY JUDICIAL OFFICERS OR EMPLOYEES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES; OR

(2) A CASE RECORD IN ELECTRONIC FORM BY AN ATTORNEY OF RECORD IN THE ACTION.

(B) A CUSTODIAN OF COURT RECORDS SHALL PREVENT REMOTE ACCESS TO COURT RECORDS IN ELECTRONIC FORM OF THE NAME AND IDENTITY OF ANY VICTIM, VICTIM REPRESENTATIVE, OR WITNESS, WHERE IDENTIFYING INFORMATION MAY NOT BE DISTRIBUTED UNDER MARYLAND RULE 16-1008(A)(3)(B).

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2006.”.