

HOUSE BILL 689

P3

8lr1134

By: ~~Delegate Barnes~~ Delegates Barnes, Hammen, Pendergrass, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kullen, McDonough, Mizeur, Montgomery, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Riley, Tarrant, V. Turner, and Weldon

Introduced and read first time: February 1, 2008

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2008

CHAPTER _____

1 AN ACT concerning

2 **Access to Public Records – Permissible Denials – Public Institutions of**
3 **Higher Education**

4 FOR the purpose of authorizing a custodian ~~to deny certain inspections of a part~~ of a
5 certain record kept by a public institution of higher education that contains
6 certain personal information relating to certain individuals ~~that contains~~
7 ~~certain information~~ to require that certain requests be in writing and to deny
8 certain inspections under certain circumstances; defining ~~a certain term~~ terms;
9 and generally relating to records kept by public institutions of higher education.

10 BY repealing and reenacting, with amendments,

11 Article – State Government

12 Section 10–611(f)

13 Annotated Code of Maryland

14 (2004 Replacement Volume and 2007 Supplement)

15 BY adding to

16 Article – State Government

17 Section 10–618(m)

18 Annotated Code of Maryland

19 (2004 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – State Government**

4 10-611.

5 (f) (1) ["Personal information"] EXCEPT AS OTHERWISE PROVIDED IN
6 THIS PART III, "PERSONAL INFORMATION" means information that identifies an
7 individual including an individual's address, driver's license number or any other
8 identification number, medical or disability information, name, photograph or
9 computer generated image, Social Security number, or telephone number.

10 (2) "Personal information" does not include an individual's driver's
11 status, driving offenses, 5-digit zip code, or information on vehicular accidents.

12 10-618.

13 (M) (1) (I) IN THIS SUBSECTION, THE FOLLOWING WORDS HAVE THE
14 MEANINGS INDICATED.

15 (II) "~~DIRECTORY~~ DIRECTORY INFORMATION" HAS THE
16 SAME MEANING AS PROVIDED IN 20 U.S.C. § 1232G.

17 (III) "PERSONAL INFORMATION" MEANS:

18 1. AN ADDRESS;

19 2. A PHONE NUMBER;

20 3. AN ELECTRONIC MAIL ADDRESS; OR

21 4. DIRECTORY INFORMATION.

22 (2) A CUSTODIAN ~~MAY DENY INSPECTION OF A PART OF A~~
23 RECORD KEPT BY A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT
24 CONTAINS PERSONAL INFORMATION RELATING TO A STUDENT, FORMER
25 STUDENT, OR APPLICANT THAT CONTAINS THE FOLLOWING INFORMATION, MAY:

26 (I) REQUIRE THAT A REQUEST TO INSPECT A RECORD
27 CONTAINING PERSONAL INFORMATION BE MADE IN WRITING AND SENT BY
28 FIRST-CLASS MAIL; AND

29 (II) IF THE INFORMATION IS REQUESTED FOR COMMERCIAL
30 PURPOSES, DENY INSPECTION OF THE PART OF THE RECORD CONTAINING THE
31 PERSONAL INFORMATION.

- 1 ~~(I) AN ADDRESS;~~
- 2 ~~(II) A PHONE NUMBER;~~
- 3 ~~(III) AN EMAIL ADDRESS; OR~~
- 4 ~~(IV) DIRECTORY INFORMATION.~~

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.