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By: Delegates McComas, Carey, Cassilly, Glass, Impallaria, Kittleman, Krebs, Malone, McKay, Reilly, Rey, Saab, Sophocleus, Sydnor, and C. Wilson

Introduced and read first time: February 6, 2017

Assigned to: Judiciary

A BILL ENTITLED

| 1 | AN ACT concerning |
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| 2 | Public Safety - Gun Shows - Captured Plate Data |
| 3 4 5 6 | FOR the purpose of establishing that it is not a legitimate law enforcement purpose to collect, store, or share certain captured plate data from a vehicle parked at, entering, or leaving a gun show without a warrant or articulable evidence of illegal activity; defining a certain term; and generally relating to law enforcement. |
| 7 8 9 10 11 | BY repealing and reenacting, with amendments, Article – Public Safety Section 3–509 Annotated Code of Maryland (2011 Replacement Volume and 2016 Supplement) |
| 12 13 14 15 16 | BY repealing and reenacting, without amendments, Article – Public Safety Section 5–130(a) Annotated Code of Maryland (2011 Replacement Volume and 2016 Supplement) |
| 17 18 | SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: |
| 19 | Article - Public Safety |
| 20 | 3–509. |
| 21 | (a) (1) In this section the following words have the meanings indicated. |
| 22 | (2) (i) "Active data" means: |

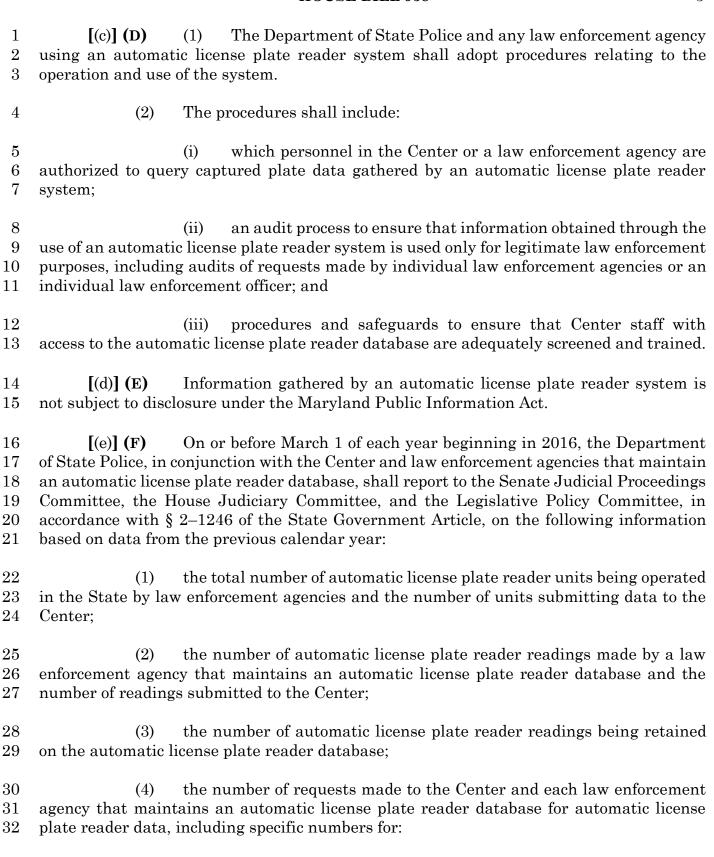


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ILLEGAL ACTIVITY.



- [(b)] (C) (1) A law enforcement agency may not use captured plate data unless the agency has a legitimate law enforcement purpose.
- 31 (2) An employee of a law enforcement agency who violates this subsection 32 is subject to imprisonment not exceeding 1 year and a fine not exceeding \$10,000 or both.



the number of out-of-state requests;

the number of requests that resulted in a release of information;

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(i)

(ii)

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- 1 (iii) the number of federal requests; 2 (iv) the number of out-of-state requests that resulted in a release of 3 information; and 4 the number of federal requests that resulted in a release of (v) information; 5 6 (5)any data breaches or unauthorized uses of the automatic license plate 7 reader database; and a list of audits that were completed by the Center or a law enforcement 8 (6)9 agency. 10 5-130.
- 11 (a) In this section, "gun show" means any organized gathering open to the public 12 at which any firearm is displayed.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 14 October 1, 2017.