

SENATE BILL 132

P1, P3

1lr0098

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Secretary of State)**

Requested: September 29, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Inspection of Public Records – Notaries Public – Disclosure of Home Address**
3 **and Phone Number**

4 FOR the purpose of providing that a custodian of a public record is required to disclose the
5 home address or home telephone number of a notary public only if the custodian has
6 not been provided with the business address or business telephone number of the
7 notary public; and generally relating to the required disclosures of public records
8 about notaries public.

9 BY repealing and reenacting, with amendments,
10 Article – General Provisions
11 Section 4–332
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2020 Supplement)

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

16 **Article – General Provisions**

17 4–332.

18 (a) Subject to subsections (b) through (e) of this section, a custodian shall deny
19 inspection of the part of a public record that contains information about the application and
20 commission of a person as a notary public.

21 (b) A custodian shall allow inspection of the part of a public record that gives:

22 (1) the name of the notary public;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) [the home address of the notary public] **THE NOTARY PUBLIC'S**
2 **BUSINESS ADDRESS OR, IF A BUSINESS ADDRESS IS NOT PROVIDED TO THE**
3 **CUSTODIAN BY THE NOTARY PUBLIC, THE NOTARY PUBLIC'S HOME ADDRESS;**

4 (3) [the home and business telephone numbers of the notary public] **THE**
5 **NOTARY PUBLIC'S BUSINESS TELEPHONE NUMBER OR, IF A BUSINESS TELEPHONE**
6 **NUMBER IS NOT PROVIDED TO THE CUSTODIAN BY THE NOTARY PUBLIC, THE**
7 **NOTARY PUBLIC'S HOME TELEPHONE NUMBER;**

8 (4) the issue and expiration dates of the notary public's commission;

9 (5) the date the person took the oath of office as a notary public; or

10 (6) the signature of the notary public.

11 (c) A custodian may allow inspection of other information about a notary public
12 if the custodian finds a compelling public purpose.

13 (d) A custodian may deny inspection of a record by a notary public or any other
14 person in interest only to the extent that the inspection could:

15 (1) interfere with a valid and proper law enforcement proceeding;

16 (2) deprive another person of a right to a fair trial or an impartial
17 adjudication;

18 (3) constitute an unwarranted invasion of personal privacy;

19 (4) disclose the identity of a confidential source;

20 (5) disclose an investigative technique or procedure;

21 (6) prejudice an investigation; or

22 (7) endanger the life or physical safety of an individual.

23 (e) A custodian who sells lists of notaries public shall omit from the lists the name
24 of any notary public, on written request of the notary public.

25 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
26 **October 1, 2021.**