

HOUSE BILL 297  
EMERGENCY BILL

Unofficial Copy  
P3

2002 Regular Session  
2lr0159  
CF 2lr0158

---

By: **The Speaker (Administration) and Delegates Cole, D. Davis, Doory,  
Hammen, Hubbard, McHale, McIntosh, Morhaim, Oaks, Phillips,  
Turner, Vallario, and Wood**

Introduced and read first time: January 23, 2002  
Assigned to: Commerce and Government Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **State Government - Access to Public Records - Public Security Documents**

3 FOR the purpose of establishing the circumstances under which a custodian may  
4 deny inspection of certain records relating to public security; making this Act an  
5 emergency measure; and generally relating to the inspection of public records.

6 BY repealing and reenacting, without amendments,  
7 Article - State Government  
8 Section 10-618(a)  
9 Annotated Code of Maryland  
10 (1999 Replacement Volume and 2001 Supplement)

11 BY adding to  
12 Article - State Government  
13 Section 10-618(j)  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 2001 Supplement)

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

18 **Article - State Government**

19 10-618.

20 (a) Unless otherwise provided by law, if a custodian believes that inspection of  
21 a part of a public record by the applicant would be contrary to the public interest, the  
22 custodian may deny inspection by the applicant of that part, as provided in this  
23 section.

24 (J) A CUSTODIAN MAY DENY INSPECTION OF A PUBLIC RECORD THAT  
25 CONTAINS INFORMATION DISCLOSING OR RELATING TO PUBLIC SECURITY IF THE

1 CUSTODIAN DETERMINES THAT INSPECTION OF THE INFORMATION WOULD  
2 CONSTITUTE A RISK TO THE PUBLIC OR TO PUBLIC SECURITY.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
4 measure, is necessary for the immediate preservation of the public health or safety,  
5 has been passed by a ye and nay vote supported by three-fifths of all the members  
6 elected to each of the two Houses of the General Assembly, and shall take effect from  
7 the date it is enacted.