

SENATE BILL 240
EMERGENCY BILL

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2002 Regular Session
2lr0158
CF 2lr0159

By: **The President (Administration) and Senators Bromwell, Collins,
Conway, Forehand, Green, Hollinger, Hughes, Kasemeyer, Lawlah,
Teitelbaum, and Van Hollen**

Introduced and read first time: January 18, 2002

Assigned to: Education, Health, and Environmental Affairs

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.