

HOUSE BILL 951

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P1

2004 Regular Session  
(4lr2513)

**ENROLLED BILL**

-- Health and Government Operations/Education, Health, and Environmental Affairs --

Introduced by **Delegates Bobo, V. Clagett, Hubbard, ~~and Mandel Mandel,~~  
Hurson, Hammen, Benson, Costa, Donoghue, Elliott, Goldwater,  
Nathan-Pulliam, Pendergrass, Rosenberg, Smigiel, and V. Turner**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Study Commission to Study the Public's Access to Public Records~~  
3 Access to Public Records - Study

4 FOR the purpose of creating a Study Commission to Study the Public's Access to  
5 Public Records; providing for the membership of the Study Commission;  
6 requiring the Study Commission to elect its chairman; requiring the  
7 Department of Legislative Services to staff the Study Commission; entitling  
8 certain members to certain reimbursements; requiring the Study Commission to  
9 examine and review certain provisions in the Annotated Code; requiring the  
10 Study Commission to make certain recommendations, propose certain  
11 legislation, and submit a certain report by a certain date; providing for the  
12 termination of the Study Commission; and generally relating to the Study  
13 Commission to Study the Public's Access to Public Records.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That:

1 (a) There is a Study Commission to Study the Public's Access to Public  
2 Records.

3 (b) The Study Commission consists of ~~13~~ 15 members as follows:

4 (1) one member of the Senate of Maryland, appointed by the President of  
5 the Senate;

6 (2) one member of the House of Delegates, appointed by the Speaker of  
7 the House;

8 (3) the Attorney General, or the Attorney General's designee; and

9 (4) ~~10~~ 12 members, appointed by the Governor as follows:

10 (i) one representative of the Maryland Association of Counties;

11 (ii) one representative of the Maryland Association of Boards of  
12 Education;

13 (iii) one representative of the Maryland Municipal League;

14 (iv) one representative of the Maryland - Delaware - DC Press  
15 Association;

16 (v) one representative of the Maryland - DC - Delaware  
17 Broadcasters Association;

18 (vi) one representative of the ~~American Civil Liberties Union of~~  
19 ~~Maryland~~ League of Women Voters of Maryland;

20 (vii) one representative of ~~Common Cause Maryland~~ the University  
21 System of Maryland;

22 (viii) one representative of the Maryland Public Interest Research  
23 Group;

24 (ix) one representative of ~~Progressive Maryland~~ the Maryland  
25 Investigators and Security Association; ~~and~~

26 (x) one representative of an organization of commercial and  
27 residential property owners;

28 (xi) one representative of an organization of residential property  
29 owners a financial services organization; and

30 (~~x~~) (xii) one public member at large.

31 (c) The Study Commission shall elect a chairman from among its members.

1 (d) The Department of Legislative Services shall provide staff for the Study  
2 Commission.

3 (e) A member of the Study Commission:

4 (1) may not receive compensation; but

5 (2) is entitled to reimbursement for expenses under the Standard State  
6 Travel Regulations, as provided in the State budget.

7 (f) The Study Commission shall:

8 (1) examine Title 10, Subtitle 6 of the State Government Article relating  
9 to the public's access to public records;

10 (2) review § 10-616 of the State Government Article assessing  
11 elimination or a sunset date for provisions that are obsolete or will become obsolete in  
12 the near future; ~~and~~

13 (3) consult with a Judiciary liaison designated by the Chief Judge of the  
14 Court of Appeals of Maryland on a recent study conducted by the Judiciary on public  
15 access to court records and the results of the study; and

16 (3) (4) make recommendations and propose legislation to effectuate its  
17 findings.

18 (g) The Study Commission shall report its recommendations and proposed  
19 legislation to the Governor and, in accordance with § 2-1246 of the State Government  
20 Article, the General Assembly, on or before ~~November~~ December 1, 2004.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 July 1, 2004. It shall remain effective for a period of ~~5~~ 6 months and, at the end of  
23 ~~November 30~~ December 31, 2004, with no further action required by the General  
24 Assembly, this Act shall be abrogated and of no further force and effect.