

HOUSE BILL 951

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P1

2004 Regular Session
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By: **Delegates Bobo, V. Clagett, Hubbard, and Mandel Mandel, Hurson,
Hammen, Benson, Costa, Donoghue, Elliott, Goldwater,
Nathan-Pulliam, Pendergrass, Rosenberg, Smigiel, and V. Turner**

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Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 27, 2004

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:

16 (a) There is a Study Commission to Study the Public's Access to Public
17 Records.

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

19 (1) one member of the Senate of Maryland, appointed by the President of
20 the Senate;

21 (2) one member of the House of Delegates, appointed by the Speaker of
22 the House;

- 1 (3) the Attorney General, or the Attorney General's designee; and
- 2 (4) ~~40~~ 12 members, appointed by the Governor as follows:
- 3 (i) one representative of the Maryland Association of Counties;
- 4 (ii) one representative of the Maryland Association of Boards of
5 Education;
- 6 (iii) one representative of the Maryland Municipal League;
- 7 (iv) one representative of the Maryland - Delaware - DC Press
8 Association;
- 9 (v) one representative of the Maryland - DC - Delaware
10 Broadcasters Association;
- 11 (vi) one representative of the ~~American Civil Liberties Union of~~
12 ~~Maryland~~ League of Women Voters of Maryland;
- 13 (vii) one representative of ~~Common Cause Maryland~~ the University
14 System of Maryland;
- 15 (viii) one representative of the Maryland Public Interest Research
16 Group;
- 17 (ix) one representative of ~~Progressive Maryland~~ the Maryland
18 Investigators and Security Association; ~~and~~
- 19 (x) one representative of an organization of commercial property
20 owners;
- 21 (xi) one representative of an organization of residential property
22 owners; and
- 23 (xii) one public member at large.
- 24 (c) The Study Commission shall elect a chairman from among its members.
- 25 (d) The Department of Legislative Services shall provide staff for the Study
26 Commission.
- 27 (e) A member of the Study Commission:
- 28 (1) may not receive compensation; but
- 29 (2) is entitled to reimbursement for expenses under the Standard State
30 Travel Regulations, as provided in the State budget.
- 31 (f) The Study Commission shall:

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

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

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

9 (3) (4) make recommendations and propose legislation to effectuate its
10 findings.

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

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