

Department of Legislative Services  
Maryland General Assembly  
2004 Session

FISCAL AND POLICY NOTE

House Bill 1163 (Delegate McMillan, *et al.*)  
Health and Government Operations

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Natural Resources - Boating - Disclosure of Personal Information

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This bill authorizes the Department of Natural Resources (DNR) to disclose personal information of registered vessel owners to a legitimate business entity requesting the information for use in the normal course of business activity by the entity, but only: (1) to verify the accuracy of personal information submitted by the individual to that entity; and (2) if the information is not accurate, to obtain correct information for the purpose of preventing fraud, pursuing legal remedies, or recovering on a debt or security interest. The bill makes a conforming change to the State Government Article to prohibit a custodian from knowingly disclosing a public record of DNR containing personal information except under the conditions stated above.

The bill takes effect June 1, 2004.

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Fiscal Summary

**State Effect:** The bill would not materially affect State operations or finances.

**Local Effect:** The bill would not materially affect local operations or finances.

**Small Business Effect:** Potential meaningful. As of December 2003, there were 201,564 vessels registered with DNR. Businesses could benefit to the extent the bill enables them to recover debts or security interests from vessel owners.

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## Analysis

**Current Law:** In general, a custodian must allow a person or governmental unit to inspect any public record at any reasonable time. Unless otherwise provided, and except under specified conditions, a custodian must deny inspection of specified public records, such as adoption records, welfare records, and records of the Motor Vehicle Administration containing personal information

Except under specified conditions, upon written request by a registered vessel owner, DNR may not furnish the name, address, or other identifying information about the owner to anyone. DNR is authorized to provide such information to: (1) another governmental agency; (2) a person requesting the information in connection with the compilation of statistical data, if not requested for the purpose of preparing a mailing list; or (3) a person whose request is limited to and necessary for the protection of the ownership, safe operation, proper maintenance, or repair of the vessel.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** SB 642 (Senator Astle) – Education, Health, and Environmental Affairs.

**Information Source(s):** Department of Natural Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2004  
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