

ENROLLED BILL
-- Judiciary/Finance and Judicial Proceedings --

Introduced by **Delegate Marriott (By Request - Baltimore City Administration)**

Read and Examined by Proofreaders:

Proofreader.

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 **Children - Records - Access by ~~Local Health Departments~~ the Baltimore City**
3 **Health Department**

4 FOR the purpose of requiring the Department of Juvenile Services to disclose to a
5 ~~local health department~~ the Baltimore City Health Department certain records
6 concerning certain children under certain circumstances; requiring the
7 Baltimore City Health Department to submit certain reports under certain
8 circumstances; requiring that certain records and reports concerning child
9 abuse and neglect be disclosed to a ~~local health department~~ the Baltimore City
10 Health Department under certain circumstances; authorizing access to certain
11 court records and police records by a ~~local health department~~ the Baltimore City
12 Health Department under certain circumstances; requiring the Department of
13 State Police to provide to a ~~local health department~~ the Baltimore City Health
14 Department certain information concerning certain child victims under certain
15 circumstances; requiring a ~~local health department~~ the Baltimore City Health
16 Department to keep certain information confidential; providing that the

1 Baltimore City Health Department shall be liable for the unauthorized release of
2 certain information; authorizing ~~a local health department~~ the Baltimore City
3 Health Department to use certain information solely for a certain purpose;
4 providing for the termination of this Act; and generally relating to records
5 concerning children and access by ~~local health departments~~ the Baltimore City
6 Health Department.

7 BY repealing and reenacting, with amendments,
8 Article 83C - Juvenile Services
9 Section 2-115
10 Annotated Code of Maryland
11 (2003 Replacement Volume and 2004 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article 88A - Department of Human Resources
14 Section 6
15 Annotated Code of Maryland
16 (2003 Replacement Volume and 2004 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Courts and Judicial Proceedings
19 Section 3-827 and 3-8A-27
20 Annotated Code of Maryland
21 (2002 Replacement Volume and 2004 Supplement)

22 ~~BY repealing and reenacting, with amendments,~~
23 ~~Article - Courts and Judicial Proceedings~~
24 ~~Section 3-8A-27~~
25 ~~Annotated Code of Maryland~~
26 ~~(2002 Replacement Volume and 2004 Supplement)~~

27 BY repealing and reenacting, without amendments,
28 Article - Public Safety
29 Section 2-307
30 Annotated Code of Maryland
31 (2003 Volume and 2004 Supplement)

32 BY repealing and reenacting, with amendments,
33 Article - Public Safety
34 Section 2-308
35 Annotated Code of Maryland
36 (2003 Volume and 2004 Supplement)

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

3 **Article 83C - Juvenile Services**

4 2-115.

5 (a) In this section, "confidential record" means any record, report, statement,
6 note, or other information that:

7 (1) Is assembled or obtained for research or study by the Department or
8 the Secretary; and

9 (2) Names or otherwise identifies any person.

10 (b) The Department shall have a unit for research and development. The unit
11 shall:

12 (1) Compile accurate statistics and reliable information on all aspects of
13 the juvenile program of this State;

14 (2) Monitor current developments in the field of juvenile justice;

15 (3) Assess existing programs and activities;

16 (4) Help develop new or improved means to prevent juvenile offenses and
17 control and treat juvenile offenders;

18 (5) If necessary, initiate studies to help the Secretary in general planning
19 and program development for the Department; and

20 (6) For these and related purposes, use research and information
21 available from all sources.

22 (c) Each confidential record that was assembled by the Juvenile Services
23 Agency shall be transferred to the custody of the Department.

24 (d) Each confidential record shall remain in the custody and control of the
25 Department if:

26 (1) The Department assembled or obtained the confidential record; or

27 (2) The confidential record was transferred to the Department from the
28 Juvenile Services Agency.

29 (e) The confidential record may be used only for the research and study for
30 which it was assembled or obtained.

31 (f) A person may not disclose any confidential record to any person who is not
32 engaged in the research or study project.

1 (g) This section does not apply to or restrict the use or publication of any
 2 statistics, information, or other material that summarizes or refers to confidential
 3 records in the aggregate, without disclosing the identity of any person who is the
 4 subject of the confidential record.

5 (H) (1) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE
 6 DEPARTMENT SHALL DISCLOSE TO ~~A LOCAL~~ THE BALTIMORE CITY HEALTH
 7 DEPARTMENT, ON A WRITTEN REQUEST:

8 ~~(+)~~ (1) A CONFIDENTIAL RECORD CONCERNING A CHILD TO WHOM
 9 THE ~~LOCAL~~ BALTIMORE CITY HEALTH DEPARTMENT IS PROVIDING TREATMENT OR
 10 CARE, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;
 11 AND

12 ~~(=)~~ (II) A CONFIDENTIAL RECORD CONCERNING A ~~CHILD~~ VICTIM OF A
 13 CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, WHO
 14 IS A CHILD RESIDING IN BALTIMORE CITY FOR THE PURPOSE OF DEVELOPING
 15 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST
 16 CHILDREN IN BALTIMORE CITY.

17 (2) (I) THE BALTIMORE CITY HEALTH DEPARTMENT SHALL KEEP
 18 CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS
 19 SUBSECTION.

20 (II) THE BALTIMORE CITY HEALTH DEPARTMENT SHALL BE LIABLE
 21 FOR THE UNAUTHORIZED RELEASE OF INFORMATION PROVIDED UNDER
 22 PARAGRAPH (1) OF THIS SUBSECTION.

23 (3) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH
 24 DEPARTMENT RECEIVES A CONFIDENTIAL RECORD UNDER PARAGRAPH (1) OF THIS
 25 SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT
 26 TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE CONFIDENTIAL
 27 RECORD WAS USED.

28 **Article 88A - Department of Human Resources**

29 6.

30 (a) Except in accordance with a court order or to an authorized officer or
 31 employee of the State, another state or local government, or the United States, or a
 32 fiduciary institution having a right thereto in an official capacity, and as necessary to
 33 discharge responsibilities to administer public assistance, medical assistance, or
 34 social services programs, it shall be unlawful for any person or persons to divulge or
 35 make known in any manner any information concerning any applicant for or recipient
 36 of social services, child welfare services, cash assistance, food stamps, or medical
 37 assistance, directly or indirectly derived from the records, papers, files, investigations
 38 or communications of the State, county or city, or subdivisions or agencies thereof, or
 39 acquired in the course of the performance of official duties.

1 (b) Except as otherwise provided in Title 5, Subtitle 7 of the Family Law
 2 Article, § 6A of this subtitle, and this section, all records and reports concerning child
 3 abuse or neglect are confidential, and their unauthorized disclosure is a criminal
 4 offense subject to the penalty set out in subsection (e) of this section. Reports or
 5 records concerning child abuse or neglect:

6 (1) Shall be disclosed:

7 (i) Under a court order; [or]

8 (ii) Under an order of an administrative law judge, if the request for
 9 disclosure concerns a case pending before the Office of Administrative Hearings and
 10 provisions are made to comply with other State or federal confidentiality laws and to
 11 protect the identity of the reporter or other person whose life or safety is likely to be
 12 endangered by disclosure; [and] OR

13 (III) ON A WRITTEN REQUEST, TO A LOCAL THE BALTIMORE CITY
 14 HEALTH DEPARTMENT:

15 1. IF THE LOCAL BALTIMORE CITY HEALTH DEPARTMENT IS
 16 PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF A REPORT OF
 17 CHILD ABUSE OR NEGLECT, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE
 18 TREATMENT OR CARE; OR

19 2. IF THE RECORD OR REPORT CONCERNS A CHILD VICTIM
 20 OF A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE,
 21 WHO IS A CHILD RESIDING IN BALTIMORE CITY FOR THE PURPOSE OF DEVELOPING
 22 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST
 23 CHILDREN IN BALTIMORE CITY; AND

24 (2) May be disclosed on request:

25 (i) To personnel of local or State departments of social services, law
 26 enforcement personnel, and members of multidisciplinary case consultation teams,
 27 who are investigating a report of known or suspected child abuse or neglect or who
 28 are providing services to a child or family that is the subject of the report;

29 (ii) To local or State officials responsible for the administration of
 30 child protective services or child care, foster care, and adoption licensing, approval, or
 31 regulations as necessary to carry out their official functions;

32 (iii) To the State Council on Child Abuse and Neglect, the State
 33 Citizens Review Board for Children, or their designees, or a child fatality review team
 34 as necessary to carry out their official functions;

35 (iv) To a person who is the alleged child abuser or the person who is
 36 suspected of child neglect if that person is responsible for the child's welfare and
 37 provisions are made for the protection of the identity of the reporter or any other
 38 person whose life or safety is likely to be endangered by disclosing the information;

1 (v) [To] SUBJECT TO THE PROVISIONS OF PARAGRAPH (1)(III) OF
2 THIS SUBSECTION, TO a licensed practitioner who, or an agency, institution, or
3 program which, is providing treatment or care to a child who is the subject of a report
4 of child abuse or neglect for a purpose relevant to the provision of the treatment or
5 care;

6 (vi) To a parent or other person who has permanent or temporary
7 care and custody of a child, if provisions are made for the protection of the identity of
8 the reporter or any other person whose life or safety is likely to be endangered by
9 disclosing the information;

10 (vii) To the appropriate public school superintendent for the purpose
11 of carrying out appropriate personnel or administrative actions following a report of
12 suspected child abuse involving a student committed by:

13 1. A public school employee in that school system;

14 2. An independent contractor who supervises or works
15 directly with students in that school system; or

16 3. An employee of an independent contractor, including a bus
17 driver or bus assistant, who supervises or works directly with students in that school
18 system;

19 (viii) To the director of a licensed child care facility or licensed child
20 placement agency for the purpose of carrying out appropriate personnel actions
21 following a report of suspected child neglect or abuse alleged to have been committed
22 by an employee of the facility or agency and involving a child who is currently or who
23 was previously under that facility's or agency's care; or

24 (ix) To the Office of the Independent Juvenile Justice Monitor
25 established under Article 49D of the Code.

26 (c) Nothing in this section shall be construed to prohibit:

27 (1) The publication, for administrative or research purposes, of statistics
28 or other data so classified as to prevent the identification of particular persons or
29 cases;

30 (2) The Department of Human Resources from obtaining an individual's
31 financial records from a fiduciary institution in the course of verifying the
32 individual's eligibility for public assistance; or

33 (3) Disclosures as permitted by § 1-303 of the Financial Institutions
34 Article.

35 (d) The Department of Human Resources shall issue regulations governing
36 access to and use of confidential information which is in the possession of the
37 Department or local departments of social services.

1 (e) Any offense against the provisions of this section shall be a misdemeanor
 2 and shall be punishable by a fine not exceeding \$500 or imprisonment for not
 3 exceeding 90 days, or both, in the discretion of the court.

4 (F) (1) THE BALTIMORE CITY HEALTH DEPARTMENT SHALL BE LIABLE FOR
 5 THE UNAUTHORIZED RELEASE OF A REPORT OR RECORD UNDER SUBSECTION (B) OF
 6 THIS SECTION.

7 (2) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH
 8 DEPARTMENT RECEIVES A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS
 9 SECTION, THE BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO
 10 THE DEPARTMENT OF HUMAN RESOURCES DETAILING THE PURPOSES FOR WHICH
 11 THE RECORD WAS USED.

12 **Article - Courts and Judicial Proceedings**

13 3-827.

14 (a) (1) All court records under this subtitle pertaining to a child shall be
 15 confidential and their contents may not be divulged, by subpoena or otherwise, except
 16 by order of the court on good cause shown.

17 (2) This subsection does not prohibit review of a court record by:

18 (i) Personnel of the court;

19 (ii) A party;

20 (iii) Counsel for a party;

21 (iv) A Court-Appointed Special Advocate for the child; [or]

22 (v) Authorized personnel of the Social Services Administration and
 23 local departments in order to conduct a child abuse or neglect investigation or to
 24 comply with requirements imposed under Title IV-E of the Social Security Act; OR

25 (VI) ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT:

26 1. ~~IF THE LOCAL~~ IF THE BALTIMORE CITY HEALTH DEPARTMENT IS
 27 PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF THE RECORD,
 28 FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE; OR

29 2. ~~IF THE RECORD CONCERNS A CHILD~~ IF THE RECORD CONCERNS A CHILD VICTIM OF A CRIME
 30 OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, WHO IS A
 31 CHILD RESIDING IN BALTIMORE CITY FOR THE PURPOSE OF DEVELOPING
 32 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST
 33 CHILDREN IN BALTIMORE CITY.

34 (3) Information obtained from a court record is subject to the provisions
 35 of Article 88A, § 6 of the Code.

1 (4) (I) THE BALTIMORE CITY HEALTH DEPARTMENT SHALL BE LIABLE
 2 FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD UNDER THIS SUBSECTION.

3 (II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH
 4 DEPARTMENT REVIEWS A COURT RECORD UNDER THIS SUBSECTION, THE
 5 BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE COURT
 6 DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

7 (b) (1) On its own motion or on petition, and for good cause shown, the court:

8 (i) May order the court records of a child sealed; and

9 (ii) Shall order them sealed after the child has reached the age of
 10 21.

11 (2) If sealed, the court records of a child may not be opened, for any
 12 purpose, except by order of the court on good cause shown.

13 3-8A-27.

14 (a) (1) A police record concerning a child is confidential and shall be
 15 maintained separate from those of adults. Its contents may not be divulged, by
 16 subpoena or otherwise, except by order of the court upon good cause shown or as
 17 otherwise provided in § 7-303 of the Education Article.

18 (2) This subsection does not prohibit:

19 (i) Access to and confidential use of the record by the Department
 20 of Juvenile Services or in the investigation and prosecution of the child by any law
 21 enforcement agency; [or]

22 (II) ACCESS TO AND CONFIDENTIAL USE OF THE RECORD BY A
 23 ~~LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT:

24 1. IF THE ~~LOCAL~~ BALTIMORE CITY HEALTH DEPARTMENT IS
 25 PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF THE RECORD,
 26 FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE; OR

27 2. IF THE RECORD CONCERNS A ~~CHILD~~ CHILD VICTIM OF A CRIME
 28 OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, WHO IS A
 29 CHILD RESIDING IN BALTIMORE CITY FOR THE PURPOSE OF DEVELOPING
 30 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST
 31 CHILDREN IN BALTIMORE CITY; OR

32 [(ii)] (III) A law enforcement agency of the State or of a political
 33 subdivision of the State, the Department of Juvenile Services, or the criminal justice
 34 information system from including in the law enforcement computer information
 35 system information about an outstanding juvenile court ordered writ of attachment,
 36 for the sole purpose of apprehending a child named in the writ.

1 (3) (I) THE BALTIMORE CITY HEALTH DEPARTMENT SHALL BE LIABLE
2 FOR THE UNAUTHORIZED RELEASE OF A POLICE RECORD UNDER THIS SUBSECTION.

3 (II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH
4 DEPARTMENT ACCESSES A POLICE RECORD UNDER THIS SUBSECTION, THE
5 BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE LAW
6 ENFORCEMENT AGENCY FROM WHICH THE RECORD WAS RECEIVED DETAILING THE
7 PURPOSES FOR WHICH THE RECORD WAS USED.

8 (b) (1) A court record pertaining to a child is confidential and its contents
9 may not be divulged, by subpoena or otherwise, except by order of the court upon good
10 cause shown or as provided in § 7-303 of the Education Article.

11 (2) This subsection does not prohibit access to and the use of the court
12 record or fingerprints of a child described under Title 10, Subtitle 2 of the Criminal
13 Procedure Article in a proceeding in the court involving the child, by personnel of the
14 court, the State's Attorney, counsel for the child, a court-appointed special advocate
15 for the child, or authorized personnel of the Department of Juvenile Services.

16 (3) (i) Except as provided in subparagraph (ii) of this paragraph, this
17 subsection does not prohibit access to and confidential use of the court record or
18 fingerprints of a child described under Title 10, Subtitle 2 of the Criminal Procedure
19 Article by the Department of Juvenile Services or in an investigation and prosecution
20 by a law enforcement agency.

21 (ii) The court record or fingerprints of a child described under §§
22 10-215(a)(21) and (22), 10-216, and 10-220 of the Criminal Procedure Article may
23 not be disclosed to:

- 24 1. A federal criminal justice agency or information center; or
- 25 2. Any law enforcement agency other than a law enforcement
26 agency of the State or a political subdivision of the State.

27 (4) (i) This subsection does not prohibit access to and use of a court
28 record by a judicial officer who is authorized under the Maryland Rules to determine
29 a defendant's eligibility for pretrial release, counsel for the defendant, or the State's
30 Attorney if:

- 31 1. The individual who is the subject of the court record is
32 charged as an adult with an offense;
- 33 2. The access to and use of the court record is strictly limited
34 for the purpose of determining the defendant's eligibility for pretrial release; and
- 35 3. The court record concerns an adjudication of delinquency
36 that occurred within 3 years of the date the individual is charged as an adult.

37 (ii) The Court of Appeals may adopt rules to implement the
38 provisions of this paragraph.

1 (5) (I) THIS SUBSECTION DOES NOT PROHIBIT ACCESS TO AND
 2 CONFIDENTIAL USE OF A COURT RECORD BY ~~A LOCAL~~ THE BALTIMORE CITY HEALTH
 3 DEPARTMENT:

4 (H) 1. IF THE ~~LOCAL~~ BALTIMORE CITY HEALTH DEPARTMENT IS
 5 PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF THE RECORD,
 6 FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE; OR

7 (H) 2. IF THE RECORD CONCERNS A ~~CHILD~~ VICTIM OF A CRIME
 8 OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, WHO IS A
 9 CHILD RESIDING IN BALTIMORE CITY FOR THE PURPOSE OF DEVELOPING
 10 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST
 11 CHILDREN IN BALTIMORE CITY.

12 (II) 1. THE BALTIMORE CITY HEALTH DEPARTMENT SHALL BE
 13 LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD UNDER THIS
 14 PARAGRAPH.

15 2. WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH
 16 DEPARTMENT ACCESSES A COURT RECORD UNDER THIS PARAGRAPH, THE
 17 BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE COURT
 18 DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

19 (c) The court, on its own motion or on petition, and for good cause shown, may
 20 order the court records of a child sealed, and, upon petition or on its own motion, shall
 21 order them sealed after the child has reached 21 years of age. If sealed, the court
 22 records of a child may not be opened, for any purpose, except by order of the court
 23 upon good cause shown.

24 (d) This section does not prohibit access to or use of any juvenile record by the
 25 Maryland Division of Parole and Probation or the Maryland Parole Commission when
 26 the Division or the Commission is carrying out any of their statutory duties either at
 27 the direction of a court of competent jurisdiction, or when the Maryland Parole
 28 Commission is carrying out any of its statutory duties, if the record concerns a charge
 29 or adjudication of delinquency.

30 (e) This section does not prohibit access to and use of any juvenile record by
 31 the Maryland Division of Correction when the Division is carrying out any of its
 32 statutory duties if: (1) the individual to whom the record pertains is committed to the
 33 custody of the Division; and (2) the record concerns an adjudication of delinquency.

34 (f) Subject to the provisions of Article 83C, § 2-115 of the Code, this section
 35 does not prohibit access to or use of any juvenile record for criminal justice research
 36 purposes. A record used under this subsection may not contain the name of the
 37 individual to whom the record pertains, or any other identifying information which
 38 could reveal the individual's name.

39 (g) This section does not prohibit a victim or victim's representative who has
 40 filed a notification request form from being notified of proceedings and events

1 involving the defendant or child as provided in this subtitle, the Criminal Procedure
2 Article, or the Criminal Law Article.

3

Article - Public Safety

4 2-307.

5 (a) The Department shall collect, analyze, and disseminate information about
6 the incidence of crime in the State.

7 (b) (1) The Department shall collect and analyze information about
8 incidents apparently directed against an individual or group because of race, religion,
9 ethnicity, or sexual orientation.

10 (2) Each local law enforcement agency and the State Fire Marshal shall
11 provide the Department with the information described in paragraph (1) of this
12 subsection.

13 (3) The Department shall adopt procedures for the collection and
14 analysis of the information described in paragraph (1) of this subsection.

15 (4) The Department shall make monthly reports to the Commission on
16 Human Relations about the information described in paragraph (1) of this subsection.

17 2-308.

18 (a) (1) Any information, records, or statistics collected under this subtitle
19 shall be available for use by any agency or unit required to provide information to the
20 Department.

21 (2) By rule, the Secretary may establish conditions for the use or
22 availability of the information described in paragraph (1) of this subsection as
23 necessary:

24 (i) to preserve the information;

25 (ii) to protect any confidential information; or

26 (iii) because of a pending prosecution.

27 (b) (1) The Department:

28 (i) shall periodically publish statistics on the incidence of crime in
29 the State; and

30 (ii) at least monthly shall publish statistics about the occurrence
31 and cause of all motor vehicle accidents in the State.

32 (2) A statistical report on the incidence of crime published under this
33 subsection may not name or otherwise identify a particular known or suspected
34 offender.

1 (3) The Department shall distribute the reports required by this
2 subsection to:

3 (i) each agency or unit that contributed information contained in
4 the reports;

5 (ii) the press; and

6 (iii) any other interested person.

7 (4) By rule, the Secretary may establish conditions under which reports
8 of specific motor vehicle accidents may be made available on request to the public.

9 (c) (1) The fee for conducting a document search is \$4.

10 (2) The Department shall apply the money received from conducting
11 document searches to the cost of providing this service.

12 (D) (1) THE DEPARTMENT SHALL PROVIDE TO A LOCAL THE BALTIMORE
13 CITY HEALTH DEPARTMENT, ON A WRITTEN REQUEST, INFORMATION CONCERNING
14 A CHILD VICTIM OF A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL
15 LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY.

16 (2) THE LOCAL BALTIMORE CITY HEALTH DEPARTMENT:

17 (I) SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED
18 UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

19 (II) MAY USE THE INFORMATION SOLELY TO DEVELOP
20 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST
21 CHILDREN IN BALTIMORE CITY; AND

22 (III) SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF ANY
23 INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

24 (3) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH
25 DEPARTMENT RECEIVES INFORMATION UNDER THIS SUBSECTION, THE BALTIMORE
26 CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE DEPARTMENT
27 DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
29 effect October 1, 2005. It shall remain effective for a period of 3 years and, at the end
30 of September 30, 2008, with no further action required by the General Assembly, this
31 Act shall be abrogated and of no further force and effect.

