
By: **Senators Hogan, Brochin, Hollinger, Kasemeyer, Klausmeier, and Schrader**

Introduced and read first time: February 4, 2005
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 15, 2005

CHAPTER _____

1 AN ACT concerning

2 **Public Records - Trade Secrets and Confidential Information - Public**
3 **Institutions of Higher Education**

4 FOR the purpose of authorizing a custodian to deny inspection of a part of a public
5 record that contains information disclosing or relating to a trade secret,
6 confidential commercial information, or confidential financial information
7 owned in whole or in part by a public institution of higher education if the
8 information is part of certain arrangements; and generally relating to the
9 inspection of the public records of a public institution of higher education.

10 BY repealing and reenacting, without amendments,
11 Article - Education
12 Section 15-107
13 Annotated Code of Maryland
14 (2004 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - State Government
17 Section 10-618(i)
18 Annotated Code of Maryland
19 (2004 Replacement Volume)

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

1

Article - Education2 15-107.

3 Public senior higher educational institutions and their governing boards are
4 encouraged to promote the economic development of the State and to increase the
5 financial resources of the institutions through arrangements with the private sector,
6 including collaborative research and development, commercial application of
7 institution-owned intellectual property, and the provisions of technical assistance.

8

Article - State Government

9 10-618.

10 (i) A custodian may deny inspection of that part of a public record that
11 contains information disclosing or relating to a trade secret, confidential commercial
12 information, or confidential financial information owned in whole or in part by:

13 (1) the Maryland Technology Development Corporation; OR

14 (2) A PUBLIC INSTITUTION OF HIGHER EDUCATION, IF THE
15 INFORMATION IS PART OF AN ARRANGEMENT BETWEEN THE INSTITUTION AND THE
16 PRIVATE SECTOR IN ACCORDANCE WITH § 15-107 OF THE EDUCATION ARTICLE.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect October 1, 2005.