
By: ~~Delegate Hubbard~~ Delegates Hubbard, Hammen, Barve, Benson,
Bromwell, Costa, Donoghue, Elliott, Frank, Kach, Kohl, Kullen, Mandel,
McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass,
Rudolph, V. Turner, and Weldon

Introduced and read first time: February 27, 2006

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, March 6, 2006

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 2006

CHAPTER _____

1 AN ACT concerning

2 **State Government - Public Records - Personal Information About**
3 **Individuals with Disabilities**

4 FOR the purpose of requiring custodians of public records to deny inspection of the
5 part of a public record that contains personal information about individuals with
6 disabilities or individuals perceived to have a disability under certain
7 circumstances; defining a certain term; and generally relating to personal
8 information about individuals with disabilities in a public record.

9 BY repealing and reenacting, without amendments,
10 Article - State Government
11 Section 10-617(a)
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2005 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - State Government
16 Section 10-617(b)
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2005 Supplement)

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

1

Article - State Government

2 10-617.

3 (a) Unless otherwise provided by law, a custodian shall deny inspection of a
4 part of a public record, as provided in this section.

5 (b) (1) IN THIS SUBSECTION, "DISABILITY" HAS THE MEANING STATED IN §
6 20 OF ARTICLE 49B.

7 (2) Subject to paragraph ~~(2)~~ (3) of this subsection, a custodian shall deny
8 inspection of the part of a public record that contains:

9 (I) medical or psychological information about an individual, other
10 than an autopsy report of a medical examiner; OR

11 (II) PERSONAL INFORMATION ABOUT AN INDIVIDUAL WITH A
12 DISABILITY OR AN INDIVIDUAL PERCEIVED TO HAVE A DISABILITY.

13 ~~(2)~~ (3) A custodian shall permit the person in interest to inspect the
14 public record to the extent permitted under § 4-304(a) of the Health - General Article.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2006.