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By: **Senator Exum**

Introduced and read first time: March 6, 2006

Assigned to: Rules

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A BILL ENTITLED

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; and generally relating to personal information about individuals  
8 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:

21 **Article - State Government**

22 10-617.

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

25 (b) (1) Subject to paragraph (2) of this subsection, a custodian shall deny  
26 inspection of the part of a public record that contains:

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

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

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

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