HOUSE BILL 213

P4 8lr0195 By: Chair, Health and Government Operations Committee (By Request -**Departmental - Budget and Management)** Introduced and read first time: January 23, 2008 Assigned to: Health and Government Operations Committee Report: Favorable House action: Adopted Read second time: February 20, 2008 CHAPTER AN ACT concerning Personal Records - Collection of Personal Information FOR the purpose of altering a certain requirement that the Secretary of Budget and Management report annually to the General Assembly on certain personal records; and generally relating to a certain reporting requirement regarding the collection of certain personal information by units of State government. BY repealing and reenacting, without amendments, Article – State Government Section 10-624(a) and (b)Annotated Code of Maryland (2004 Replacement Volume and 2007 Supplement) BY repealing and reenacting, with amendments, Article – State Government Section 10–624(c) Annotated Code of Maryland (2004 Replacement Volume and 2007 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - State Government

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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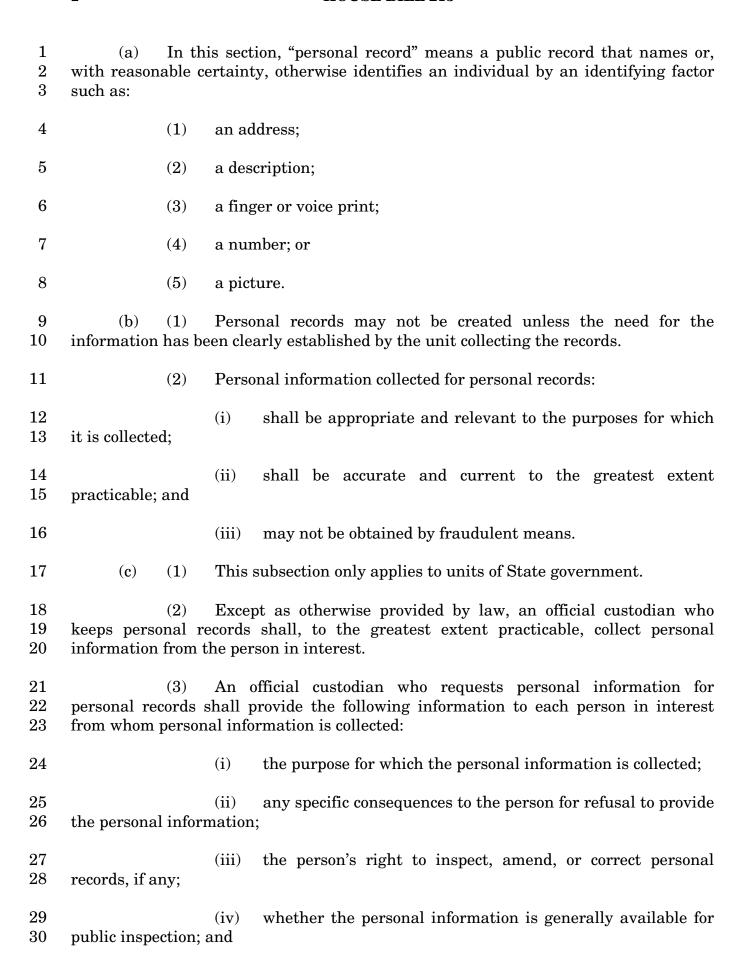
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10-624.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



$\frac{1}{2}$	(v) whether the personal information is made available or transferred to or shared with any entity other than the official custodian.
3 4 5	(4) Each unit of State government shall post its privacy policies with regard to the collection of personal information, including the policies specified in this subsection, on its Internet website.
6 7	(5) The following personal records shall be exempt from the requirements of this subsection:
8 9	(i) information pertaining to the enforcement of criminal laws or the administration of the penal system;
10 11 12	(ii) information contained in investigative materials kept for the purpose of investigating a specific violation of State law and maintained by a State agency whose principal function may be other than law enforcement;
l3 l4	(iii) information contained in public records which are accepted by the State Archivist for deposit in the Maryland Hall of Records;
15 16 17	(iv) information gathered as part of formal research projects previously reviewed and approved by federally mandated institutional review boards; and
18 19 20	(v) any other personal records exempted by regulations adopted by the Secretary of Budget and Management, based on the recommendation of the Chief of Information Technology.
21 22 23 24 25 26 27	(6) [In accordance with § 2–1246 of this article, the Secretary of Budget and Management shall report on October 1 of each year to the General Assembly on the personal records exempted by regulations under paragraph (5)(v) of this subsection] IF THE SECRETARY OF BUDGET AND MANAGEMENT ADOPTS REGULATIONS UNDER PARAGRAPH (5)(v) OF THIS SUBSECTION, THE SECRETARY SHALL, IN ACCORDANCE WITH § 2–1246 OF THIS ARTICLE, REPORT TO THE GENERAL ASSEMBLY ON THE PERSONAL RECORDS EXEMPTED FROM THE REQUIREMENTS OF THIS SUBSECTION.
29 80	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect