

# HOUSE BILL 1310

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By: **Delegates McConkey, V. Clagett, and Love**

Introduced and read first time: February 16, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Access to Public Records – Photographs**

3 FOR the purpose of requiring the custodian of a public record to give certain  
4 applicants access to the public record to make a photograph of the public record  
5 under certain circumstances; and generally relating to access to public records.

6 BY repealing and reenacting, with amendments,  
7 Article – State Government  
8 Section 10–620  
9 Annotated Code of Maryland  
10 (2004 Replacement Volume and 2008 Supplement)

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

13 **Article – State Government**

14 10–620.

15 (a) (1) Except as otherwise provided in this subsection, an applicant who  
16 is authorized to inspect a public record may have:

17 (i) a copy, printout, or photograph of the public record; or

18 (ii) if the custodian does not have facilities to reproduce the  
19 public record, access to the public record to make the copy, printout, or photograph.

20 **(2) THE CUSTODIAN SHALL GIVE THE APPLICANT ACCESS TO THE**  
21 **PUBLIC RECORD FOR THE PURPOSE OF MAKING A PHOTOGRAPH IF THE**  
22 **APPLICANT CHOOSES TO MAKE A PHOTOGRAPH INSTEAD OF RECEIVING A COPY**  
23 **OR PRINTOUT.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1            ~~[(2)]~~ **(3)**     An applicant may not have a copy of a judgment until:
- 2                            (i)     the time for appeal expires; or
- 3                            (ii)    if an appeal is noted, the appeal is dismissed or adjudicated.
- 4            (b)    (1)     The copy, printout, or photograph shall be made:
- 5                            (i)     while the public record is in the custody of the custodian;
- 6     and
- 7                            (ii)    whenever practicable, where the public record is kept.
- 8                            (2)     The official custodian may set a reasonable time schedule to make
- 9     copies, printouts, or photographs.

10            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

11     October 1, 2009.