

HOUSE BILL 969

P1, P3, P4

4lr1865

By: **The Speaker (By Request – Department of Legislative Services – Code Revision)**

Introduced and read first time: February 6, 2014

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **General Provisions – Cross-References and Corrections**

3 FOR the purpose of correcting certain cross-references to the General Provisions
4 Article in the Annotated Code of Maryland; correcting certain errors relating to
5 the General Provisions Article; providing that certain powers of certain local
6 governments shall be deemed to incorporate and include certain power and
7 authority contained in certain provisions of the General Provisions Article; and
8 generally relating to the General Provisions Article and cross-references and
9 corrections.

10 BY renumbering

11 Article – State Government

12 Section 10–605, 10–606, 10–607, 10–608, 10–632, 10–634, 10–639, 10–640,
13 10–641, and 10–642, respectively

14 to be Section 10–602, 10–603, 10–604, 10–605, 10–609, 10–611, 10–616, 10–617,
15 10–618, and 10–619, respectively

16 Annotated Code of Maryland

17 (2009 Replacement Volume and 2013 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article 2B – Alcoholic Beverages

20 Section 7–101(a)(3), 15–112(d)(15), 15–201(b)(2)(ii), and 15–205(i)(4)

21 Annotated Code of Maryland

22 (2011 Replacement Volume and 2013 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Agriculture

25 Section 2–102(e)(1) and 2–503(a)(4)

26 Annotated Code of Maryland

27 (2007 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 BY repealing and reenacting, with amendments,
2 Article – Business Regulation
3 Section 12–304(d)(3), 12.5–303(d)(3), and 17–1011(b)(5)(iii)
4 Annotated Code of Maryland
5 (2010 Replacement Volume and 2013 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Courts and Judicial Proceedings
8 Section 2–207(a), 2–309(j)(5)(vi)3., 5–106(i), 5–110, 6–410(a), and 8–105(a)
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2013 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – Criminal Law
13 Section 3–708(a)(3)(i)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2013 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article – Economic Development
18 Section 10–407(a)(2), 10–814(a)(2), 11–408(a)(2), and 11–509(a)(2)
19 Annotated Code of Maryland
20 (2008 Volume and 2013 Supplement)
- 21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 3–304(c), 3–3A–06(b)(1), 3–5A–05(c), 3–5B–04(b), 3–704(c), 3–12A–05(c),
24 5–302(a)(4)(i) and (f)(1), 12–104(j)(1), 12–113(c)(2), 13–305(c),
25 14–104(d)(2), 14–110(c)(2), 14–404(c)(1), 15–104(b)(6), and 24–207(b)(3)(i)
26 Annotated Code of Maryland
27 (2008 Replacement Volume and 2013 Supplement)
- 28 BY repealing and reenacting, with amendments,
29 Article – Election Law
30 Section 3–204(h)(3), 5–304(d)(3)(i), and 13–501 through 13–504
31 Annotated Code of Maryland
32 (2010 Replacement Volume and 2013 Supplement)
- 33 BY repealing and reenacting, with amendments,
34 Article – Environment
35 Section 7–406(k) and 7–702(f)(1)
36 Annotated Code of Maryland
37 (2013 Replacement Volume)
- 38 BY repealing and reenacting, with amendments,
39 Article – Family Law

- 1 Section 2–402(c)(2), 4–528(a), 4–706(a) and (b), 4–707(a)(2), 5–203(b), and
2 5–4B–06(c)(1)
3 Annotated Code of Maryland
4 (2012 Replacement Volume and 2013 Supplement)
- 5 BY repealing and reenacting, with amendments,
6 Article – Financial Institutions
7 Section 2–114(a)(3), 2–117(b)(1), 5–909(b)(1), 8–307(c) and (d)(1), 8–309(a)(2),
8 11–620(a) and (d), 11–622(a), 12–408.1(a) and (d), 12–430.1(a)(1), and
9 12–922(e)(2)
10 Annotated Code of Maryland
11 (2011 Replacement Volume and 2013 Supplement)
- 12 BY repealing and reenacting, with amendments,
13 Article – General Provisions
14 Section 5–406(c)
15 Annotated Code of Maryland
16 (As enacted by Chapter ___ (H.B. 270) of the Acts of the General Assembly of
17 2014)
- 18 BY repealing and reenacting, with amendments,
19 Article – Health – General
20 Section 4–217(f), 4–304(c)(2)(i), 5–708(a) and (b), 5–709(a), 13–2003(c),
21 15–103(b)(27)(ix), 15–147, 17–604(a), 20–108(b)(2)(ii), and 24–504(2)
22 Annotated Code of Maryland
23 (2009 Replacement Volume and 2013 Supplement)
- 24 BY repealing and reenacting, with amendments,
25 Article – Health Occupations
26 Section 14–411(c)(1) and 19–205(5)
27 Annotated Code of Maryland
28 (2009 Replacement Volume and 2013 Supplement)
- 29 BY repealing and reenacting, with amendments,
30 Article – Housing and Community Development
31 Section 9–304(b), 12–309(a)(1), and 16–306(c)(2)
32 Annotated Code of Maryland
33 (2006 Volume and 2013 Supplement)
- 34 BY repealing and reenacting, with amendments,
35 Article – Human Services
36 Section 10–465(f) and 11–304(b)
37 Annotated Code of Maryland
38 (2007 Volume and 2013 Supplement)
- 39 BY repealing and reenacting, with amendments,
40 Article – Insurance

- 1 Section 2–209(g)(2)(ii), 4–401(f)(1), 4–405(a)(2)(ii), 10–118(i)(2)(ii),
2 11–603(c)(3)(ii), 14–106(f)(2), 14–133(e)(2)(iii), 15–1902(c)(3)(ii)1.,
3 19–112(e), 19–211(b)(1), 20–201(d)(3)(ii), 27–501(h)(4), 27–802(b),
4 31–103(a), and 31–104(d)(1) and (n)
5 Annotated Code of Maryland
6 (2011 Replacement Volume and 2013 Supplement)
- 7 BY repealing and reenacting, with amendments,
8 Article – Labor and Employment
9 Section 3–906(g) and 10–104(b)(2)(i)
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2013 Supplement)
- 12 BY repealing and reenacting, with amendments,
13 Article – Land Use
14 Section 15–104(c)(1) and 16–205(b)(2)
15 Annotated Code of Maryland
16 (2012 Volume and 2013 Supplement)
- 17 BY adding to
18 Article – Local Government
19 Section 5–218 and 10–103
20 Annotated Code of Maryland
21 (2013 Volume)
- 22 BY repealing and reenacting, with amendments,
23 Article – Local Government
24 Section 9–405(b), 20–103(a)(1), 20–604(e)(1), and 29–108(d)(2)
25 Annotated Code of Maryland
26 (2013 Volume)
- 27 BY repealing and reenacting, with amendments,
28 Article – Natural Resources
29 Section 4–205(l)(2), 8–704.1(b)(4), and 8–1915(a)(3)
30 Annotated Code of Maryland
31 (2012 Replacement Volume and 2013 Supplement)
- 32 BY repealing and reenacting, with amendments,
33 Article – Public Utilities
34 Section 12–101(h)(1), 18–205(c)(4), and 19–101
35 Annotated Code of Maryland
36 (2010 Replacement Volume and 2013 Supplement)
- 37 BY repealing and reenacting, with amendments,
38 Article – Real Property
39 Section 14–126.1(g)(1)
40 Annotated Code of Maryland

1 (2010 Replacement Volume and 2013 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – State Finance and Procurement
4 Section 2–201(a), 5–703(c), 7–229(i), 7–230(h), 10A–201(b)(1)(v),
5 10A–203(b)(1)(i), 10A–204(b), 11–201(c), 13–202(a)(2), and
6 13–223(b)(1)(ii)
7 Annotated Code of Maryland
8 (2009 Replacement Volume and 2013 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 2–709(c)(2), 2–1224(f), 9–20B–07(d), and 10–117(a)(2)(i); 10–604 to be
12 under the amended part “Part I. Forms Management”; 10–631 and
13 10–633 to be under the amended part “Part II. Records Management”;
14 10–637 and 10–638 to be under the amended part “Part III. Disposition of
15 Records and Other Materials”; and 10–903(b), 10–905(c)(2)(ii), and
16 18–114(a) and (d)
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2013 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – State Personnel and Pensions
21 Section 3–208(c), 3–2A–08(c), 3–501(e), 5–214, 5–310(b)(2) and (3), and 5–314
22 Annotated Code of Maryland
23 (2009 Replacement Volume and 2013 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article – Tax – General
26 Section 1–201(a)(1)
27 Annotated Code of Maryland
28 (2010 Replacement Volume and 2013 Supplement)

29 BY repealing and reenacting, with amendments,
30 Article – Tax – Property
31 Section 1–303(a)(1)
32 Annotated Code of Maryland
33 (2012 Replacement Volume and 2013 Supplement)

34 BY repealing and reenacting, with amendments,
35 Article – Transportation
36 Section 5–201.1(c)(1), 6–201.1(b)(1), 12–111(b)(1), 12–112(a) and (d)(1) and
37 (5)(ii), 12–113(a)(1) and (4), and 12–302(b)(2)
38 Annotated Code of Maryland
39 (2008 Replacement Volume and 2013 Supplement)

40 BY adding to

1 The Charter of Baltimore City
 2 Article II – General Powers
 3 Section (68)
 4 (2007 Replacement Volume, as amended)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 6 MARYLAND, That Section(s) 10–605, 10–606, 10–607, 10–608, 10–632, 10–634,
 7 10–639, 10–640, 10–641, and 10–642, respectively, of Article – State Government of
 8 the Annotated Code of Maryland be renumbered to be Section(s) 10–602, 10–603,
 9 10–604, 10–605, 10–609, 10–611, 10–616, 10–617, 10–618, and 10–619, respectively.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 11 read as follows:

12 **Article 2B – Alcoholic Beverages**

13 7–101.

14 (a) (3) In Anne Arundel County, the provisions of §§ 10–103(b) and
 15 10–202 of this article and [§ 10–501 of the State Government Article] **§ 3–102 OF THE**
 16 **GENERAL PROVISIONS ARTICLE** do not apply to an applicant for a special Class C
 17 beer license, special Class C beer and wine license, or special Class C beer, wine and
 18 liquor license for a period not to exceed 7 consecutive days from the effective date of
 19 the license.

20 15–112.

21 (d) (15) An action of a commissioner or employee of the Board is subject to
 22 State requirements for open or public meetings, including requirements for open
 23 sessions under [Title 10, Subtitle 5 of the State Government Article] **TITLE 3 OF THE**
 24 **GENERAL PROVISIONS ARTICLE**.

25 15–201.

26 (b) (2) (ii) Notwithstanding any other provision of the Code or local
 27 law, the members of the Harford County Liquor Control Board are subject to the
 28 provisions regarding financial disclosure, conflicts of interest, and lobbying activities
 29 under [Title 15, Subtitle 5, Part I, and Subtitles 6 and 7 of the State Government
 30 Article] **TITLE 5, SUBTITLE 5, PART I AND SUBTITLES 6 AND 7 OF THE GENERAL**
 31 **PROVISIONS ARTICLE**.

32 15–205.

33 Subject to § 16–407.1 of this article, the liquor control board of each county shall
 34 have full power and authority within its county:

1 (i) (4) Notwithstanding any other provision of the Code or local law,
2 employees of the Harford County Liquor Control Board are subject to the provisions
3 regarding conflicts of interest, and lobbying activities found in [Title 15, Subtitle 5,
4 Part I, and Subtitle 7 of the State Government Article] **TITLE 5, SUBTITLE 5, PART I**
5 **AND SUBTITLE 7 OF THE GENERAL PROVISIONS ARTICLE**, but may not be
6 required to file the statement required by [§ 15-601 of the State Government Article]
7 **§ 5-601 OF THE GENERAL PROVISIONS ARTICLE**.

8 Article – Agriculture

9 2-102.

10 (e) (1) Notwithstanding the provisions of [§§ 15-502 through 15-504 of
11 the State Government Article] **§§ 5-502 THROUGH 5-504 OF THE GENERAL**
12 **PROVISIONS ARTICLE**, an individual who owns or operates a farm that is subject to
13 the regulatory authority of the Department may be employed within the Department,
14 if the individual, with respect to the farm activities of the individual's farm, does not
15 exercise any regulatory or supervisory authority in the individual's capacity as an
16 employee of the Department.

17 2-503.

18 (a) (4) Notwithstanding the provisions of [§§ 15-502 through 15-504 of
19 the State Government Article] **§§ 5-502 THROUGH 5-504 OF THE GENERAL**
20 **PROVISIONS ARTICLE**, a person may be appointed to and serve on the board as an
21 at-large member even if prior to the appointment the person sold an easement in the
22 person's agricultural land to the Foundation.

23 Article – Business Regulation

24 12-304.

25 (d) The required information from a record submitted under this section:

26 (3) is not subject to [Title 10, Subtitle 6 of the State Government
27 Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**.

28 12.5-303.

29 (d) A copy of an invoice or receipt for services submitted under this section:

30 (3) is not subject to [Title 10, Subtitle 6 of the State Government
31 Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**.

32 17-1011.

1 (b) (5) A copy of a record submitted under paragraph (4) of this
2 subsection:

3 (iii) is not subject to [Title 10, Subtitle 6 of the State
4 Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.**

5 **Article – Courts and Judicial Proceedings**

6 2–207.

7 (a) For purposes of this section, “person in interest” has the meaning stated
8 in [§ 10–611 of the State Government Article] **§ 4–101(E) OF THE GENERAL**
9 **PROVISIONS ARTICLE.**

10 2–309.

11 (j) (5) (vi) 3. Negotiations or matters relating to negotiations shall
12 be considered closed sessions under [§ 10–508 of the State Government Article] **§**
13 **3–305 OF THE GENERAL PROVISIONS ARTICLE.**

14 5–106.

15 (i) A petition by the State Ethics Commission to seek a civil fine under [§
16 15–902(b) of the State Government Article] **§ 5–902(B) OF THE GENERAL**
17 **PROVISIONS ARTICLE** may not be initiated unless the complaint is filed by the
18 Commission within 3 years from the time the conduct ended.

19 5–110.

20 An action to enforce any criminal or civil liability created under [Part III of Title
21 10, Subtitle 6 of the State Government Article] **TITLE 4 OF THE GENERAL**
22 **PROVISIONS ARTICLE** may be brought within two years from the date on which the
23 cause of action arises, except that if the defendant has materially and willfully
24 misrepresented any information required under those sections to be disclosed to a
25 person and the information so misrepresented is material to the establishment of
26 liability of the defendant to the person under those sections, the action may be brought
27 at any time within two years after discovery by the person of the misrepresentation.

28 6–410.

29 (a) (1) In this section the following words have the meanings indicated.

30 (2) “Custodian” has the meaning stated in [§ 10–611 of the State
31 Government Article] **§ 4–101(C) OF THE GENERAL PROVISIONS ARTICLE.**

1 (3) “Public record” has the meaning stated in [§ 10–611 of the State
2 Government Article] **§ 4–101(H) OF THE GENERAL PROVISIONS ARTICLE.**

3 8–105.

4 (a) A custodian, as defined in [§ 10–611 of the State Government Article] **§**
5 **4–101(C) OF THE GENERAL PROVISIONS ARTICLE**, may allow access to
6 information about prospective, qualified, and sworn jurors only in accordance with
7 rules that the Court of Appeals adopts.

8 **Article – Criminal Law**

9 3–708.

10 (a) (3) (i) “State official” has the meaning stated in [§ 15–102 of the
11 State Government Article] **§ 5–101 OF THE GENERAL PROVISIONS ARTICLE.**

12 **Article – Economic Development**

13 10–407.

14 (a) Except as provided in subsections (b), (c), and (e) of this section, the
15 Corporation is exempt from:

16 (2) [§§ 10–505 and 10–507 of the State Government Article] **§§ 3–301**
17 **AND 3–303 OF THE GENERAL PROVISIONS ARTICLE.**

18 10–814.

19 (a) Except as provided in subsections (b), (c), and (e) of this section, the
20 Center is exempt from:

21 (2) [§§ 10–505 and 10–507 of the State Government Article] **§§ 3–301**
22 **AND 3–303 OF THE GENERAL PROVISIONS ARTICLE.**

23 11–408.

24 (a) Except as otherwise provided in this section, in exercising its corporate
25 powers, the Corporation:

26 (2) is not subject to:

27 (i) [the following provisions of the State Government Article:

28 1. §§ 10–505 and 10–507 (Open Meetings); and] **§§**
29 **3–301 AND 3–303 OF THE GENERAL PROVISIONS ARTICLE (OPEN MEETINGS);**

1 **[2.] (II)** Title 11 **OF THE STATE GOVERNMENT**
2 **ARTICLE** (Consolidated Procedures for Development Permits); and

3 **[(ii)] (III)** the following provisions of the State Finance and
4 Procurement Article:

5 1. Title 2, Subtitles 2 (Gifts and Grants), 4 (Facsimile
6 Signatures and Seals), and 5 (Facilities for Handicapped);

7 2. Title 3 (Budget and Management);

8 3. Title 4 (Department of General Services);

9 4. § 5A-304 (Maryland Historical Trust Property
10 Acquisition);

11 5. Title 6, Subtitle 1 (Revenues: Studies and Estimates);

12 6. Title 7, Subtitles 1 (State Operating Budget), 2
13 (Disbursements and Expenditures), and 3 (Unspent Balances);

14 7. Title 8, Subtitle 1 (General Obligation Debt);

15 8. Title 10 (Board of Public Works – Miscellaneous
16 Provisions); and

17 9. Division II (General Procurement Law).

18 11-509.

19 (a) Except as otherwise provided in this section, in exercising its corporate
20 powers, the Corporation:

21 (2) is not subject to:

22 (i) [the following provisions of the State Government Article:

23 1. §§ 10-505 and 10-507 (Open Meetings); and] §§
24 **3-301 AND 3-303 OF THE GENERAL PROVISIONS ARTICLE (OPEN MEETINGS);**

25 **[2.] (II)** Title 11 **OF THE STATE GOVERNMENT**
26 **ARTICLE** (Consolidated Procedures for Development Permits); and

27 **[(ii)] (III)** the following provisions of the State Finance and
28 Procurement Article:

1 1. Title 2, Subtitles 2 (Gifts and Grants), 4 (Facsimile
2 Signatures and Seals), and 5 (Facilities for Handicapped);

3 2. Title 3 (Budget and Management);

4 3. Title 4 (Department of General Services);

5 4. § 5A-304 (Maryland Historical Trust Property
6 Acquisition);

7 5. Title 6, Subtitle 1 (Revenues: Studies and Estimates);

8 6. Title 7, Subtitles 1 (State Operating Budget), 2
9 (Disbursements and Expenditures), and 3 (Unspent Balances);

10 7. Title 8, Subtitle 1 (General Obligation Debt);

11 8. Title 10 (Board of Public Works – Miscellaneous
12 Provisions); and

13 9. Division II (General Procurement Law).

14 **Article – Education**

15 3-304.

16 (c) The county board may take actions in closed session in accordance with [§
17 10-508 of the State Government Article] **§ 3-305 OF THE GENERAL PROVISIONS**
18 **ARTICLE.**

19 3-3A-06.

20 (b) (1) Each meeting of the county board shall be conducted in accordance
21 with the provisions of the Maryland Open Meetings Act, [Title 10, Subtitle 5 of the
22 State Government Article] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.**

23 3-5A-05.

24 (c) The county board may take actions in executive session in accordance
25 with [§ 10-508 of the State Government Article] **§ 3-305 OF THE GENERAL**
26 **PROVISIONS ARTICLE.**

27 3-5B-04.

1 (b) The county board may take actions in closed session in accordance with [§
2 10–508 of the State Government Article] **§ 3–305 OF THE GENERAL PROVISIONS**
3 **ARTICLE.**

4 3–704.

5 (c) The county board may take actions in closed session in accordance with [§
6 10–508 of the State Government Article] **§ 3–305 OF THE GENERAL PROVISIONS**
7 **ARTICLE**, including action to close a meeting.

8 3–12A–05.

9 (c) The county board may take actions in executive session in accordance
10 with [§ 10–508 of the State Government Article] **§ 3–305 OF THE GENERAL**
11 **PROVISIONS ARTICLE.**

12 5–302.

13 (a) (4) A member of the Interagency Committee on School Construction
14 may not be:

15 (i) An individual who is a regulated lobbyist as described in [§
16 15–701(a)(1), (2), (3), or (4) of the State Government Article] **§ 5–702(A)(1), (2), (3),**
17 **OR (4) OF THE GENERAL PROVISIONS ARTICLE;**

18 (f) (1) The Interagency Committee on School Construction is a public
19 body and subject to [the Open Meetings Law under Title 10, Subtitle 5 of the State
20 Government Article] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.**

21 12–104.

22 (j) (1) Subject to [Title 10, Subtitle 5 of the State Government Article
23 (“Open Meetings” Law)] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE**, the
24 Board may make rules and regulations, and prescribe policies and procedures, for the
25 management, maintenance, operation, and control of the University System of
26 Maryland.

27 12–113.

28 (c) (2) Notwithstanding the provisions of [§§ 15–501 through 15–504 of
29 the State Government Article] **§§ 5–501 THROUGH 5–504 OF THE GENERAL**
30 **PROVISIONS ARTICLE** and subject to [§ 15–523 of the State Government Article] **§**
31 **5–525 OF THE GENERAL PROVISIONS ARTICLE**, an official or employee of a public
32 institution of higher education may be a director, official, or employee of an entity

1 intended to support a high impact economic development activity, if the individual's
2 participation advances the interests of the institution.

3 13-305.

4 (c) [Sections 15-501 through 15-504 of the State Government Article]
5 **SECTIONS 5-501 THROUGH 5-504 OF THE GENERAL PROVISIONS ARTICLE** shall
6 not bar an official or employee of the University from becoming a director, official, or
7 employee of the Medical System Corporation or participating in matters involving the
8 Corporation and shall not prevent the Executive Director of the Maryland Institute for
9 Emergency Medical Services Systems from becoming a voting Director of the Medical
10 System Corporation.

11 14-104.

12 (d) (2) Subject to [Title 10, Subtitle 5 of the State Government Article
13 ("Meetings")] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE**, the Board of
14 Regents may adopt rules and regulations and prescribe policies and procedures for the
15 management, maintenance, operation, and control of the University.

16 14-110.

17 (c) (2) Notwithstanding the provisions of [§§ 15-501 through 15-504 of
18 the State Government Article] **§§ 5-501 THROUGH 5-504 OF THE GENERAL**
19 **PROVISIONS ARTICLE** and subject to [§ 15-523 of the State Government Article] **§**
20 **5-525 OF THE GENERAL PROVISIONS ARTICLE**, an official or employee of a public
21 institution of higher education may be a director, official, or employee of an entity
22 intended to support a high impact economic development activity, if the individual's
23 participation advances the interests of the University.

24 14-404.

25 (c) (1) Subject to [Title 10, Subtitle 5 of the State Government Article
26 "Open Meetings" Law] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE**, the
27 Board may make rules and regulations, and prescribe policies and procedures, for the
28 management, maintenance, operation, and control of the College.

29 15-104.

30 (b) (6) [Sections 15-501 through 15-504 of the State Government Article]
31 **SECTIONS 5-501 THROUGH 5-504 OF THE GENERAL PROVISIONS ARTICLE** do
32 not bar an official or employee of a public institution of higher education from
33 becoming a director, official, or employee of an independent foundation organized to
34 foster fundraising and provide related services for the benefit of the institution.

35 24-207.

1 (b) (3) (i) [Sections 15–501 through 15–504 of the State Government
2 Article] **SECTIONS 5–501 THROUGH 5–504 OF THE GENERAL PROVISIONS**
3 **ARTICLE** do not bar an official or employee of the Commission from becoming a
4 director or official of an independent foundation organized to foster fund–raising and
5 provide related services for the benefit of the Commission.

6 **Article – Election Law**

7 3–204.

8 (h) (3) Notwithstanding § 3–501 of this title and [§ 10–611 of the State
9 Government Article] **§ 4–401 OF THE GENERAL PROVISIONS ARTICLE**, the identity
10 of a voter registration agency through which a particular voter has registered may not
11 be disclosed to the public.

12 5–304.

13 (d) The certificate of candidacy shall be accompanied by:

14 (3) evidence that the individual has filed:

15 (i) a financial disclosure statement with the State Ethics
16 Commission in accordance with the requirements of [Title 15, Subtitle 6 of the State
17 Government Article] **TITLE 5, SUBTITLE 6 OF THE GENERAL PROVISIONS**
18 **ARTICLE**; or

19 13–501.

20 As to contributions to the Prince George’s County Executive, a member of the
21 Prince George’s County Council, or a candidate for either of those offices, [Title 15,
22 Subtitle 8, Part IV of the State Government Article] **TITLE 5, SUBTITLE 8, PART V**
23 **OF THE GENERAL PROVISIONS ARTICLE** may apply.

24 13–502.

25 As to contributions to the Montgomery County Executive, a member of the
26 County Council of Montgomery County, or a candidate for either of those offices, [Title
27 15, Subtitle 8, Part V of the State Government Article] **TITLE 5, SUBTITLE 8, PART**
28 **VI OF THE GENERAL PROVISIONS ARTICLE** may apply.

29 13–503.

30 As to contributions to the Howard County Executive, a member of the County
31 Council of Howard County, or a candidate for either of those offices, [Title 15, Subtitle

1 8, Part VII of the State Government Article] **TITLE 5, SUBTITLE 8, PART VIII OF**
2 **THE GENERAL PROVISIONS ARTICLE** may apply.

3 13–504.

4 As to contributions to the Frederick County Board of County Commissioners or
5 a candidate for that office, [Title 15, Subtitle 8, Part VIII of the State Government
6 Article] **TITLE 5, SUBTITLE 8, PART IX OF THE GENERAL PROVISIONS ARTICLE**
7 may apply.

8 **Article – Environment**

9 7–406.

10 (k) The Board shall maintain records of its transactions including the
11 applications and supporting data submitted by those seeking certificates from the
12 Board and any other technical data considered in issuing or denying a certificate.
13 These records are public records for the purposes of [Part III of Title 10, Subtitle 6 of
14 the State Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.**

15 7–702.

16 (f) (1) The analyses prepared and submissions required under subsection
17 (c) of this section, or documents prepared under § 7–703 of this subtitle to comply with
18 subsection (c) of this section, and their supporting documents are confidential and are
19 not public documents that may be disclosed without prior written permission of the
20 person subject to this subtitle in accordance with [Title 10, Subtitle 6 of the State
21 Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.**

22 **Article – Family Law**

23 2–402.

24 (c) The Social Security numbers of the parties:

25 (2) except as provided in [§ 10–617 of the State Government Article] §
26 **4–334 OF THE GENERAL PROVISIONS ARTICLE**, may not be disclosed as part of the
27 public record of the marriage license application.

28 4–528.

29 (a) Except as otherwise provided by this part, a Program participant’s actual
30 address and telephone number maintained by the Secretary of State or a State or local
31 agency is not a public record within the meaning of [§ 10–611 of the State Government
32 Article] **§ 4–101 OF THE GENERAL PROVISIONS ARTICLE.**

1 4-706.

2 (a) Meetings of a local team shall be closed to the public and not subject to
3 [Title 10, Subtitle 5 of the State Government Article] **TITLE 3 OF THE GENERAL**
4 **PROVISIONS ARTICLE** when the local team is discussing individual cases.

5 (b) Except as provided in subsection (c) of this section, meetings of a local
6 team shall be open to the public and subject to [Title 10, Subtitle 5 of the State
7 Government Article] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE** when the
8 local team is not discussing individual cases.

9 4-707.

10 (a) Except as provided in subsections (b) and (c) of this section, all
11 information and records acquired by a local team in the exercise of its purpose and
12 duties under this subtitle:

13 (2) are exempt from disclosure under [Title 10, Subtitle 6 of the State
14 Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**; and

15 5-203.

16 (b) The parents of a minor child, as defined in [Article 1, § 24 of the Code] §
17 **1-103 OF THE GENERAL PROVISIONS ARTICLE**:

18 (1) are jointly and severally responsible for the child's support, care,
19 nurture, welfare, and education; and

20 (2) have the same powers and duties in relation to the child.

21 5-4B-06.

22 (c) (1) Subject to paragraph (2) of this subsection, a confidential
23 intermediary may access any information that is contained in a public record, as
24 defined in [§ 10-611 of the State Government Article] § **4-101 OF THE GENERAL**
25 **PROVISIONS ARTICLE**, including a court record.

26 Article – Financial Institutions

27 2-114.

28 (a) The Commissioner may:

29 (3) Subject to the provisions of [Title 10, Subtitle 6 of the State
30 Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**, publish

1 information concerning a violation of a law, regulation, rule, or order over which the
2 Commissioner has jurisdiction.

3 2–117.

4 (b) If the Commissioner receives a record from an agency under a cooperative
5 and information sharing agreement authorized by subsection (a)(1) of this section and
6 the agency expressly retains ownership of the record, either in writing or by law or
7 regulation, the Commissioner:

8 (1) May not disclose the record to any person that requests the record
9 under [§§ 10–611 through 10–628 of the State Government Article] **TITLE 4,**
10 **SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE;** and

11 5–909.

12 (b) If the Commissioner receives a record from a bank supervisory agency
13 under a cooperative or an information–sharing agreement authorized by subsection
14 (a)(2) of this section and the bank supervisory agency expressly retains ownership of
15 the record, either in writing or by law or regulation, the Commissioner:

16 (1) May not disclose the record to any person that requests the record
17 under [§§ 10–611 through 10–628 of the State Government Article] **TITLE 4,**
18 **SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE;** and

19 8–307.

20 (c) The Division Director, Division staff, and members of the immediate
21 families of the Division Director and Division staff, as defined in [§ 15–102 of the State
22 Government Article] **§ 5–101 OF THE GENERAL PROVISIONS ARTICLE** may not
23 accept, directly or indirectly, any gift, gratuity, or remuneration of any type from any
24 savings and loan association or related entity or from any director, officer, controlling
25 person, employee, or agent of any savings and loan association or related entity.

26 (d) (1) The Division Director, Division staff, and members of the
27 immediate families of the Division Director and Division staff as defined in [§ 15–102
28 of the State Government Article] **§ 5–101 OF THE GENERAL PROVISIONS ARTICLE**
29 may not become indebted to any association or related entity that is subject to the
30 jurisdiction of the Division Director.

31 8–309.

32 (a) (2) The report is confidential and is not subject to disclosure in
33 accordance with the provisions of [§ 10–617 of the State Government Article] **TITLE 4,**
34 **SUBTITLE 3, PART III OF THE GENERAL PROVISIONS ARTICLE.**

1 11-620.

2 (a) (1) Except as otherwise provided in 12 U.S.C. § 5111, the
3 requirements under any federal law and [§§ 10-611 through 10-628 of the State
4 Government Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL**
5 **PROVISIONS ARTICLE** regarding the privacy or confidentiality of information or
6 material provided to the Nationwide Mortgage Licensing System and Registry, and
7 any privilege arising under federal or state law, including the rules of any federal or
8 state court with respect to that information or material, shall continue to apply to that
9 information or material after the information or material has been disclosed to the
10 Nationwide Mortgage Licensing System and Registry.

11 (2) The information and material may be shared with all state and
12 federal regulatory officials having mortgage industry oversight authority without the
13 loss of privilege or the loss of confidentiality protections provided by federal law or [§§
14 10-611 through 10-628 of the State Government Article] **TITLE 4, SUBTITLES 1**
15 **THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE**.

16 (d) Any provisions of [§§ 10-611 through 10-628 of the State Government
17 Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS**
18 **ARTICLE** relating to the disclosure of any information or material described in
19 subsection (a) of this section that are inconsistent with subsection (a) of this section
20 shall be superseded by the requirements of this section.

21 11-622.

22 (a) Notwithstanding [§§ 10-611 through 10-628 of the State Government
23 Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS**
24 **ARTICLE**, and subject to § 11-620 of this subtitle, the Commissioner shall report
25 adjudicated enforcement actions and other relevant information to the Nationwide
26 Mortgage Licensing System and Registry.

27 12-408.1.

28 (a) (1) The requirements under any federal law and [§§ 10-611 through
29 10-628 of the State Government Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF**
30 **THE GENERAL PROVISIONS ARTICLE** regarding the privacy or confidentiality of
31 information or material provided to the nationwide licensing system, and any privilege
32 arising under federal or state law, including the rules of any federal or state court with
33 respect to that information or material, shall continue to apply to that information or
34 material after the information or material has been disclosed to the nationwide
35 licensing system.

36 (2) The information and material may be shared with all state and
37 federal regulatory officials having oversight authority over the money transmission
38 industry, including the Financial Crimes Enforcement Network, without the loss of

1 privilege or the loss of confidentiality protections provided by federal law or [§§ 10–611
2 through 10–628 of the State Government Article] **TITLE 4, SUBTITLES 1 THROUGH**
3 **5 OF THE GENERAL PROVISIONS ARTICLE.**

4 (d) Any provisions of [§§ 10–611 through 10–628 of the State Government
5 Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS**
6 **ARTICLE** relating to the disclosure of any information or material described in
7 subsection (a) of this section that are inconsistent with subsection (a) of this section
8 shall be superseded by the requirements of this section.

9 12–430.1.

10 (a) (1) Notwithstanding [§§ 10–611 through 10–628 of the State
11 Government Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL**
12 **PROVISIONS ARTICLE**, and subject to § 12–408.1 of this subtitle, the Commissioner
13 shall report adjudicated enforcement actions against a money transmitter or its
14 authorized delegate and other relevant information to the nationwide licensing
15 system.

16 12–922.

17 (e) (2) A duly authorized government official may disclose information
18 obtained under paragraph (1) of this subsection only in accordance with [Title 10,
19 Subtitle 6 of the State Government Article] **TITLE 4 OF THE GENERAL PROVISIONS**
20 **ARTICLE.**

21 **Article – General Provisions**

22 5–406.

23 (c) The Ethics Commission may seek judicial enforcement and other relief as
24 provided under [Subtitle 8] **SUBTITLE 9** of this title.

25 **Article – Health – General**

26 4–217.

27 (f) The Secretary shall include with every copy of a death certificate that is
28 completed by the Chief Medical Examiner a notice that advises a person in interest, as
29 defined in [§ 10–611(f)(3) of the State Government Article] **§ 4–101(E) OF THE**
30 **GENERAL PROVISIONS ARTICLE**, of the right to appeal a denial by the Chief
31 Medical Examiner of a request to correct findings and conclusions as to the cause and
32 manner of death recorded on a death certificate as provided under § 5–310(d) of this
33 article.

34 4–304.

1 (c) (2) A health care provider may require a person in interest or any
2 other authorized person who requests a copy of a medical record to pay the cost of
3 copying:

4 (i) For State facilities regulated by the Department of Health
5 and Mental Hygiene, as provided in [§ 10–621 of the State Government Article] §
6 **4–206 OF THE GENERAL PROVISIONS ARTICLE**; or

7 5–708.

8 (a) Meetings of the State Team and of local teams shall be closed to the
9 public and not subject to [Title 10, Subtitle 5 of the State Government Article] **TITLE**
10 **3 OF THE GENERAL PROVISIONS ARTICLE** when the State Team or local teams are
11 discussing individual cases of child deaths.

12 (b) Except as provided in subsection (c) of this section, meetings of the State
13 Team and of local teams shall be open to the public and subject to [Title 10, Subtitle 5
14 of the State Government Article] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE**
15 when the State Team or local team is not discussing individual cases of child deaths.

16 5–709.

17 (a) All information and records acquired by the State Team or by a local
18 team, in the exercise of its purpose and duties under this subtitle, are confidential,
19 exempt from disclosure under [Title 10, Subtitle 6 of the State Government Article]
20 **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**, and may only be disclosed as
21 necessary to carry out the team’s duties and purposes.

22 13–2003.

23 (c) The minutes of a meeting of an institutional review board are not public
24 records under [Title 10, Subtitle 6 of the State Government Article] **TITLE 4 OF THE**
25 **GENERAL PROVISIONS ARTICLE**.

26 15–103.

27 (b) (27) (ix) The Secretary shall appoint nonvoting members from
28 managed care organizations who may participate in Committee meetings, unless the
29 Committee meets in closed session as provided in [§ 10–508 of the State Government
30 Article] **§ 3–305 OF THE GENERAL PROVISIONS ARTICLE**.

31 15–147.

32 Notwithstanding [§ 15–504 of the State Government Article] **§ 5–504 OF THE**
33 **GENERAL PROVISIONS ARTICLE**, a former official or employee may not be

1 considered to have participated significantly in a contract if the former official or
2 employee:

3 (1) Did not develop a request for proposals resulting in the contract;

4 (2) Did not participate in an evaluation committee or other State
5 entity charged with selecting a contractor for the contract; and

6 (3) Participated only by providing support or other assistance as
7 directed by a senior manager after contract award as part of the transition process
8 from a State-run Medicaid Management Information System to a private contracted
9 operation.

10 17-604.

11 (a) Except as otherwise provided in this subtitle, information prepared for or
12 maintained in the Biological Agents Registry shall be confidential and is not subject to
13 [Title 10, Subtitle 6 of the State Government Article] **TITLE 4 OF THE GENERAL**
14 **PROVISIONS ARTICLE.**

15 20-108.

16 (b) (2) (ii) The information collected under this section is confidential
17 and not open to inspection nor considered a public record. The information shall only
18 be used statistically for the use of the Department in the performance of its duties,
19 except that the identities of individuals reported may be disclosed for research
20 purposes in accordance with the criteria set forth in [§ 10-624(e) of the State
21 Government Article] **§ 4-501(E) OF THE GENERAL PROVISIONS ARTICLE.**

22 24-504.

23 Except as provided in § 24-505 of this subtitle, beginning on February 1, 2008, a
24 person may not smoke in:

25 (2) An indoor place in which meetings are open to the public in
26 accordance with [Title 10, Subtitle 5 of the State Government Article] **TITLE 3 OF**
27 **THE GENERAL PROVISIONS ARTICLE;**

28 **Article – Health Occupations**

29 14-411.

30 (c) Nothing in this section shall be construed to prevent or limit the
31 disclosure of:

1 (1) General licensure, certification, or registration information
2 maintained by the Board, if the request for release complies with the criteria of [§
3 10–617(h) of the State Government Article] **§ 4–333 OF THE GENERAL PROVISIONS**
4 **ARTICLE**;

5 19–205.

6 In addition to the powers and duties set forth elsewhere in this title, the Board
7 has the following powers and duties:

8 (5) To issue a list annually of all currently licensed social workers and
9 all social workers disciplined by the Board in the past year in accordance with [§
10 10–617(h) of the State Government Article] **§ 4–333 OF THE GENERAL PROVISIONS**
11 **ARTICLE**; and

12 Article – Housing and Community Development

13 9–304.

14 (b) Meetings of the Board or its members or of employees or agents of the
15 Fund are not subject to State requirements for open or public meetings, including any
16 requirements for open sessions under [Title 10, Subtitle 5 of the State Government
17 Article] **TITLE 3 OF THE GENERAL PROVISIONS ARTICLE**.

18 12–309.

19 (a) Each commissioner, the executive director, and each employee of an
20 authority is:

21 (1) a local official for the purposes of [Title 15, Subtitle 8, Part I of the
22 State Government Article] **TITLE 5, SUBTITLE 8, PART II OF THE GENERAL**
23 **PROVISIONS ARTICLE** and subject to local ethics laws; and

24 16–306.

25 (c) (2) Providing a list under this subsection by the Montgomery
26 Commission, the labor relations administrator, or any Montgomery Commission
27 officials, employees, or other agents does not violate [§ 10–617(e) of the State
28 Government Article] **§ 4–331 OF THE GENERAL PROVISIONS ARTICLE** or any State
29 or local law.

30 Article – Human Services

31 10–465.

1 (f) A member may not participate in a review of a provider's financial
2 condition if that member has an interest, as defined under the Maryland Public Ethics
3 Law in [§ 15–102 of the State Government Article] **§ 5–101 OF THE GENERAL**
4 **PROVISIONS ARTICLE**, in the provider.

5 11–304.

6 (b) Except as provided in [§ 10–508 of the State Government Article] **§**
7 **3–305 OF THE GENERAL PROVISIONS ARTICLE**, a meeting of the Board shall be
8 open to the public.

9 Article – Insurance

10 2–209.

11 (g) (2) A document, material, or information that is subject to this
12 subsection:

13 (ii) is not subject to [Title 10, Subtitle 6 of the State
14 Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**;

15 4–401.

16 (f) (1) Subject to paragraph (2) of this subsection, a report filed in
17 accordance with this section shall be treated as a personal record under [§ 10–624(e) of
18 the State Government Article] **§ 4–501(E) OF THE GENERAL PROVISIONS**
19 **ARTICLE**.

20 4–405.

21 (a) (2) (ii) In accordance with [§ 10–617(d) of the State Government
22 Article] **§ 4–335 OF THE GENERAL PROVISIONS ARTICLE**, the Commissioner shall
23 deny inspection of any part of a report submitted under paragraph (1) of this
24 subsection that the Commissioner determines contains confidential commercial
25 information or confidential financial information.

26 10–118.

27 (i) (2) Any document, material, or other information that is subject to this
28 subsection is:

29 (ii) not subject to [Title 10, Subtitle 6 of the State Government
30 Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**;

31 11–603.

1 (c) (3) (ii) A carrier may request a finding by the Commissioner that
2 certain information filed with the Commissioner be considered confidential
3 commercial information under [§ 10–617(d) of the State Government Article] **§ 4–335**
4 **OF THE GENERAL PROVISIONS ARTICLE** and not subject to public inspection.

5 14–106.

6 (f) (2) In accordance with [§ 10–617(d) of the State Government Article] **§**
7 **4–335 OF THE GENERAL PROVISIONS ARTICLE**, the Commissioner shall deny
8 inspection of any part of a report filed under subsection (b) of this section that the
9 Commissioner determines contains confidential commercial information or
10 confidential financial information.

11 14–133.

12 (e) (2) The plan of divestiture or liquidation:

13 (iii) is proprietary and confidential commercial information
14 under [§ 10–617(d) of the State Government Article] **§ 4–335 OF THE GENERAL**
15 **PROVISIONS ARTICLE**.

16 15–1902.

17 (c) (3) Notwithstanding any other provision of law, a copy of a contract
18 filed with the Commissioner or provided by the Commissioner to the executive director
19 of the Maryland Health Care Commission under this subsection, is:

20 (ii) not subject to:

21 1. [Title 10, Subtitle 6 of the State Government Article]
22 **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**;

23 19–112.

24 (e) At least 15 days prior to granting an application under [§ 10–614 of the
25 State Government Article] **§ 4–203 OF THE GENERAL PROVISIONS ARTICLE** to
26 inspect company-specific data that was requested by bulletin under this section, the
27 Commissioner shall notify the insurer that supplied the data:

28 (1) that the Commissioner has received an application to inspect data
29 filed by the insurer;

30 (2) which data the Commissioner intends to disclose in granting the
31 application; and

1 (3) that, within 7 days of receipt of the notice, the insurer has the
2 opportunity to provide any reason why the data is confidential commercial data or is
3 otherwise protected from disclosure under the Public Information Act.

4 19–211.

5 (b) (1) The information filed under subsection (a) of this section is
6 proprietary and confidential commercial information under [§ 10–617(d) of the State
7 Government Article] **§ 4–335 OF THE GENERAL PROVISIONS ARTICLE.**

8 20–201.

9 (d) (3) The Fund is subject to:

10 (ii) [Title 10, Subtitle 5 of the State Government Article] **TITLE**
11 **3 OF THE GENERAL PROVISIONS ARTICLE;**

12 27–501.

13 (h) (4) Each insurer, nonprofit health service plan, and health
14 maintenance organization may request a finding by the Commissioner that its
15 underwriting standards filed with the Commissioner be considered confidential
16 commercial information under [§ 10–617(d) of the State Government Article] **§ 4–335**
17 **OF THE GENERAL PROVISIONS ARTICLE.**

18 27–802.

19 (b) In addition to any protection provided under [§ 10–618 of the State
20 Government Article] **TITLE 4, SUBTITLE 4, PART IV OF THE GENERAL**
21 **PROVISIONS ARTICLE**, any information, documentation, or other evidence provided
22 under this section by an insurer, its employees, fund producers, or insurance
23 producers, a viatical settlement provider, a viatical settlement broker, an independent
24 insurance producer, or a registered premium finance company to the Commissioner,
25 the Fraud Division, or a federal, State, or local law enforcement authority in
26 connection with an investigation of suspected insurance fraud is not subject to public
27 inspection for as long as the Commissioner, Fraud Division, or law enforcement
28 authority considers the withholding to be necessary to complete an investigation of the
29 suspected fraud or to protect the person investigated from unwarranted injury.

30 31–103.

31 (a) The Exchange is subject to:

32 (1) **THE FOLLOWING PROVISIONS OF THE GENERAL PROVISIONS**
33 **ARTICLE:**

1 (I) TITLE 3 (OPEN MEETINGS ACT);

2 (II) TITLE 4 (PUBLIC INFORMATION ACT); AND

3 (III) TITLE 5 (MARYLAND PUBLIC ETHICS LAW);

4 [(1)] (2) the following provisions of the State Finance and
5 Procurement Article:

6 (i) Title 12, Subtitle 4 (Policies and Procedures for Exempt
7 Units); and

8 (ii) Title 14, Subtitle 3 (Minority Business Participation);

9 [(2)] (3) the following provisions of the State Government Article:

10 (i) Title 10, Subtitle 1 (Administrative Procedure Act –
11 Regulations); AND

12 (ii) [Title 10, Subtitle 5 (Meetings);

13 (iii) Title 10, Subtitle 6, Part III (Access to Public Records);

14 (iv)] Title 12 (Immunity and Liability); and

15 [(v) Title 15 (Public Ethics); and]

16 [(3)] (4) Title 5, Subtitle 3 of the State Personnel and Pensions
17 Article.

18 31–104.

19 (d) (1) For purposes of this subsection, “affiliation” means:

20 (i) a financial interest, as defined in [§ 15–102 of the State
21 Government Article] § 5–101 OF THE GENERAL PROVISIONS ARTICLE;

22 (ii) a position of governance, including membership on a board
23 of directors, regardless of compensation;

24 (iii) a relationship through which compensation, as defined in [§
25 15–102 of the State Government Article] § 5–101 OF THE GENERAL PROVISIONS
26 ARTICLE, is received; or

1 (iv) a relationship for the provision of services as a regulated
2 lobbyist, as defined in [§ 15–102 of the State Government Article] **§ 5–101 OF THE**
3 **GENERAL PROVISIONS ARTICLE.**

4 (n) (1) (i) A member of the Board shall be subject to the [State]
5 **MARYLAND PUBLIC** Ethics Law, [Title 15, Subtitles 1 through 7 of the State
6 Government Article] **TITLE 5, SUBTITLES 1 THROUGH 7 OF THE GENERAL**
7 **PROVISIONS ARTICLE.**

8 (ii) In addition to the disclosure required under [Title 15,
9 Subtitle 6 of the State Government Article] **TITLE 5, SUBTITLE 6 OF THE GENERAL**
10 **PROVISIONS ARTICLE**, a member of the Board shall disclose to the Board and to the
11 public any relationship not addressed in the required financial disclosure that the
12 member has with a carrier, insurance producer, third-party administrator, managed
13 care organization, or other entity in an industry involved in matters likely to come
14 before the Board.

15 (2) On all matters that come before the Board, the member shall:

16 (i) adhere strictly to the conflict of interest provisions under
17 [Title 15, Subtitle 5 of the State Government Article] **TITLE 5, SUBTITLE 5 OF THE**
18 **GENERAL PROVISIONS ARTICLE** relating to restrictions on participation,
19 employment, and financial interests; and

20 (ii) provide full disclosure to the Board and the public on:

21 1. any matter that gives rise to a potential conflict of
22 interest; and

23 2. the manner in which the member will comply with the
24 provisions of [Title 15, Subtitle 5 of the State Government Article] **TITLE 5,**
25 **SUBTITLE 5 OF THE GENERAL PROVISIONS ARTICLE** to avoid any conflict of
26 interest or appearance of a conflict of interest.

27 Article – Labor and Employment

28 3–906.

29 (g) Within 15 days after a request, in accordance with [Title 10, Subtitle 6 of
30 the State Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**
31 and the applicable regulations of the Department and the Office of Administrative
32 Hearings, the Commissioner shall provide copies of all relevant evidence, including a
33 list of potential witnesses, on which the Commissioner intends to rely at any
34 administrative hearing under this subtitle.

35 10–104.

1 (b) (2) The Fund is subject to:

2 (i) [Title 10, Subtitle 6, Part III of the State Government
3 Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE;**

4 **Article – Land Use**

5 15–104.

6 (c) An applicant may not be appointed unless the applicant:

7 (1) has filed a financial disclosure statement as required by [§ 15–820
8 of the State Government Article] **§ 5–824 OF THE GENERAL PROVISIONS ARTICLE;**
9 and

10 16–205.

11 (b) (2) The provision of a list under this subsection by the Commission,
12 the labor relations administrator, or a Commission official, employee, or other agent
13 does not constitute a violation of [§ 10–617(e) of the State Government Article] **§**
14 **4–331 OF THE GENERAL PROVISIONS ARTICLE** or any State or local law.

15 **Article – Local Government**

16 **5–218.**

17 **THE EXPRESS POWERS CONTAINED IN THIS SUBTITLE ARE INTENDED TO**
18 **AND SHALL BE DEEMED TO INCORPORATE AND INCLUDE THE POWER AND**
19 **AUTHORITY CONTAINED IN TITLE 5, SUBTITLE 8, PART II OF THE GENERAL**
20 **PROVISIONS ARTICLE.**

21 9–405.

22 (b) This section does not apply to a county that has adopted local ethics laws
23 under [§§ 15–804 and 15–805 of the State Government Article] **§§ 5–808 AND 5–809**
24 **OF THE GENERAL PROVISIONS ARTICLE** if the local ethics laws have been
25 approved by the State Ethics Commission.

26 **10–103.**

27 **THE EXPRESS POWERS CONTAINED IN THIS TITLE ARE INTENDED TO AND**
28 **SHALL BE DEEMED TO INCORPORATE AND INCLUDE THE POWER AND**
29 **AUTHORITY CONTAINED IN TITLE 5, SUBTITLE 8, PART II OF THE GENERAL**
30 **PROVISIONS ARTICLE.**

1 20–103.

2 (a) In this section, “legal holiday” means:

3 (1) the day on which a legal holiday, as defined under [Article 1, § 27
4 of the Code] **§ 1–111 OF THE GENERAL PROVISIONS ARTICLE**, is observed; or

5 20–604.

6 (e) The net proceeds of the tax imposed under this section shall be used only
7 for funding of:

8 (1) the public ethics provisions under [Title 15, Subtitle 8, Part IV of
9 the State Government Article] **TITLE 5, SUBTITLE 8, PART V OF THE GENERAL
10 PROVISIONS ARTICLE**; or

11 29–108.

12 (d) (2) Statistical information may be made available for public inspection
13 under [§ 10–624(e) of the State Government Article] **§ 4–501(E) OF THE GENERAL
14 PROVISIONS ARTICLE**.

15 Article – Natural Resources

16 4–205.

17 (1) (2) Except as provided in [§ 10–617 of the State Government Article] **§
18 4–334 OF THE GENERAL PROVISIONS ARTICLE**, the Social Security number of an
19 applicant may not be disclosed as part of the public record of the application.

20 8–704.1.

21 (b) This section does not prevent the Department from furnishing
22 information under this section:

23 (4) To a financial institution, as defined in § 1–101(i) of the Financial
24 Institutions Article, or its agents, employees, or contractors, requesting information
25 under [§ 10–616(s) of the State Government Article] **§ 4–317 OF THE GENERAL
26 PROVISIONS ARTICLE**.

27 8–1915.

28 (a) (3) If a regulated lobbyist is appointed to serve as a member of the
29 Corps Board, the lobbyist is not subject to:

1 (i) [§ 15–504(d) of the State Government Article] **§ 5–504(D)**
2 **OF THE GENERAL PROVISIONS ARTICLE**; or

3 (ii) [§ 15–703(f)(3) of the State Government Article] **§**
4 **5–704(F)(3) OF THE GENERAL PROVISIONS ARTICLE** as a result of that service.

5 **Article – Public Utilities**

6 12–101.

7 (h) “Legal holiday” means:

8 (1) the day on which a legal holiday, as defined in [Article 1, § 27 of
9 the Code] **§ 1–111 OF THE GENERAL PROVISIONS ARTICLE**, is observed; or

10 18–205.

11 (c) (4) The provision of the eligible employee voting list under this
12 subsection by the Commission, the labor relations administrator, or a Commission
13 official, employee, or other agent does not constitute a violation of [§ 10–617(e) of the
14 State Government Article] **§ 4–331 OF THE GENERAL PROVISIONS ARTICLE** or any
15 State or local law, regulation, or ordinance.

16 19–101.

17 In this title, “Board” means the Board of Ethics established by the Commission
18 under regulations adopted in accordance with [Title 15, Subtitle 8, Part III of the
19 State Government Article] **TITLE 5, SUBTITLE 8, PART IV OF THE GENERAL**
20 **PROVISIONS ARTICLE**.

21 **Article – Real Property**

22 14–126.1.

23 (g) (1) The Foreclosed Property Registry:

24 (i) Is not a public record as defined by [§ 10–611 of the State
25 Government Article] **§ 4–101 OF THE GENERAL PROVISIONS ARTICLE**; and

26 (ii) Is not subject to [Title 10, Subtitle 6 of the State
27 Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**.

28 **Article – State Finance and Procurement**

29 2–201.

1 (a) In this section, “gift” has the meaning stated in [Article 1, § 22 of the
2 Code] **§ 1–109 OF THE GENERAL PROVISIONS ARTICLE.**

3 5–703.

4 (c) If the Governor appoints a regulated lobbyist to serve as a member of the
5 Commission, the lobbyist:

6 (1) is not subject to [§ 15–504(d) of the State Government Article] **§**
7 **5–504(D) OF THE GENERAL PROVISIONS ARTICLE** with respect to that service;
8 and

9 (2) is not subject to [§ 15–703(f)(3) of the State Government Article] **§**
10 **5–704(F)(3) OF THE GENERAL PROVISIONS ARTICLE** as a result of that service.

11 7–229.

12 (i) Notwithstanding [§ 10–617 of the State Government Article] **TITLE 4,**
13 **SUBTITLE 3, PART III OF THE GENERAL PROVISIONS ARTICLE,** at the end of
14 each fiscal year, the Treasurer may electronically publish on the Treasurer’s website
15 the names of payees of checks that have remained unclaimed for 2 years or more.

16 7–230.

17 (h) Notwithstanding [§ 10–617 of the State Government Article] **TITLE 4,**
18 **SUBTITLE 3, PART III OF THE GENERAL PROVISIONS ARTICLE,** at the end of
19 each fiscal year, the Treasurer may electronically publish on the Treasurer’s website
20 the names of payees of checks that have remained unrepresented for 2 years or more.

21 10A–201.

22 (b) (1) A presolicitation report shall:

23 (v) withhold information deemed confidential, proprietary, or
24 otherwise exempt from disclosure under applicable law, in accordance with [§
25 10–617(d) of the State Government Article] **§ 4–335 OF THE GENERAL PROVISIONS**
26 **ARTICLE,** relating to:

- 27 1. confidential commercial information;
- 28 2. confidential financial information; and
- 29 3. trade secrets; and

30 10A–203.

1 (b) (1) The proposed public-private partnership agreement made
2 available to the public shall:

3 (i) after consultation with the private entity, withhold
4 information deemed confidential, proprietary, or otherwise exempt from disclosure
5 under applicable law, including in accordance with [§ 10-617(d) of the State
6 Government Article] **§ 4-335 OF THE GENERAL PROVISIONS ARTICLE**, relating to:

- 7 1. confidential commercial information;
- 8 2. confidential financial information; and
- 9 3. trade secrets; and

10 10A-204.

11 (b) Information deemed confidential, proprietary, or otherwise exempt from
12 disclosure under applicable law shall be withheld from the posted version of the final
13 public-private partnership agreement in accordance with [§ 10-617(d) of the State
14 Government Article] **§ 4-335 OF THE GENERAL PROVISIONS ARTICLE** relating to:

- 15 (1) a trade secret;
- 16 (2) confidential commercial information; and
- 17 (3) confidential financial information.

18 11-201.

19 (c) If a provision of this Division II is inconsistent with a federal law,
20 regulation, or grant agreement or other federal requirement that governs procurement
21 or a procurement contract or with the terms of a gift, as defined in [Article 1, § 22 of
22 the Code] **§ 1-109 OF THE GENERAL PROVISIONS ARTICLE**, the federal
23 requirement or the terms of the gift control the procurement or procurement contract.

24 13-202.

25 (a) After a solicitation is issued and until a recommendation is made by a
26 procurement officer, a procurement officer may disclose to a person outside the
27 Executive Department only:

28 (2) information that is available to the public under [§§ 10-611
29 through 10-628 of the State Government Article] **TITLE 4, SUBTITLES 1 THROUGH
30 5 OF THE GENERAL PROVISIONS ARTICLE**.

31 13-223.

1 (b) (1) (ii) A regulated lobbyist, who is described in [§ 15-701(a)(1), (2),
2 or (3) of the State Government Article] **§ 5-702(A)(1), (2), OR (3) OF THE GENERAL**
3 **PROVISIONS ARTICLE**, may not offer or agree to solicit or secure a procurement
4 contract under this subtitle if the lobbyist's fee is contingent on, or results from, the
5 making of the procurement contract.

6 **Article – State Government**

7 2-709.

8 (c) The assistance of the Counsel to members of the General Assembly:

9 (2) is subject to confidentiality under [§ 15-516 of this article] **§ 5-517**
10 **OF THE GENERAL PROVISIONS ARTICLE**; and

11 2-1224.

12 (f) After the expiration of any period that the Joint Audit Committee
13 specifies, a report of the Legislative Auditor is available to the public under [§§ 10-602
14 and 10-611 through 10-628 of this article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF**
15 **THE GENERAL PROVISIONS ARTICLE**.

16 9-20B-07.

17 (d) If a regulated lobbyist is appointed to serve as a member of the Board,
18 the lobbyist:

19 (1) is not subject to [§ 15-504(d) of this article] **§ 5-504(D) OF THE**
20 **GENERAL PROVISIONS ARTICLE** with respect to that service; and

21 (2) is not subject to [§ 15-703(f)(3) of this article] **§ 5-704(F)(3) OF**
22 **THE GENERAL PROVISIONS ARTICLE** as a result of that service.

23 10-117.

24 (a) (2) For calculation of the effective date under this subsection:

25 (i) [Article 1, § 36 of the Code] **§ 1-302 OF THE GENERAL**
26 **PROVISIONS ARTICLE** does not apply;

27 [Part II.] **PART I. Forms Management.**

28 [10-604.] **10-601.**

1 (a) In this [Part II] **PART I** of this subtitle the following words have the
2 meanings indicated.

3 (b) “Department” means a principal department of the Executive Branch of
4 the State government.

5 (c) “Division” means the Records Management Division of the Department of
6 General Services.

7 (d) “Form” means a document that has a standard format for the systematic
8 and repetitive collection, maintenance, or transmission of information.

9 (e) “Independent unit” means a unit of the State government that is not in a
10 department.

11 (f) “Plan” means a forms management plan for a department or independent
12 unit.

13 [Part IV.] **PART II.** Records Management.

14 [10–631.] **10–608.**

15 (a) In this [Part IV] **PART II** of this subtitle the following words have the
16 meanings indicated.

17 (b) “Division” means the Records Management Division of the Department of
18 General Services.

19 (c) “Program” means a program for the management of the records of a unit
20 of the State government.

21 [10–633.] **10–610.**

22 (a) Each unit of the State government shall have a program for the
23 continual, economical, and efficient management of the records of the unit.

24 (b) The program shall include procedures:

25 (1) to ensure the security of the records;

26 (2) to establish and to revise, in accordance with the regulations,
27 record retention and disposal schedules that ensure the prompt and orderly
28 disposition of records that the unit no longer needs for its operation; and

29 (3) to facilitate compliance with [Part V] **PART III** of this subtitle.

1 [Part V.] **PART III.** Disposition of Records and Other Materials.

2 [10-637.] **10-614.**

3 (a) In this [Part V] **PART III** of this subtitle the following words have the
4 meanings indicated.

5 (b) "Archives" means the State Archives.

6 (c) "Commission" means the Hall of Records Commission.

7 (d) "Public official" includes an official of the State or of a county, city, or
8 town in the State.

9 [10-638.] **10-615.**

10 Except as expressly provided in [§ 10-642] **§ 10-619** of this subtitle, this [Part
11 **V] PART III** of this subtitle does not authorize:

12 (1) the destruction of a permanent book of account;

13 (2) the destruction of a land record of a clerk of a circuit court;

14 (3) the destruction of any record that relates to the financial operation
15 of a unit of the State government or to collection of State taxes until the requirements
16 of §§ 2-1220 through 2-1227 of this article are met;

17 (4) the destruction of any record until the expiration of the period that
18 a statute expressly sets for that record to be kept;

19 (5) the destruction of any public record that a statute expressly
20 requires to be kept permanently; or

21 (6) the destruction of any record of a court of record unless:

22 (i) the destruction is authorized under § 1-605(d)(6) or § 2-205
23 of the Courts Article;

24 (ii) an accurate transcript of the record is in use; or

25 (iii) the record relates to the internal management of or
26 otherwise is a housekeeping record for an office of a clerk of court or register of wills.

27 10-903.

1 (b) Except as otherwise provided in this subtitle, to the extent of any
2 inconsistency, [§§ 10–611 through 10–628 of this title] **TITLE 4, SUBTITLES 1**
3 **THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE** do not apply to this subtitle.

4 10–905.

5 (c) Online access:

6 (2) may not include:

7 (ii) access to information that would be denied under [§§ 10–615
8 through 10–619 of this title] **TITLE 4, SUBTITLE 3, PARTS I THROUGH V OF THE**
9 **GENERAL PROVISIONS ARTICLE**.

10 18–114.

11 (a) Subject to [§ 10–617(j) of this article] **§ 4–332 OF THE GENERAL**
12 **PROVISIONS ARTICLE**, the Secretary of State may provide lists of public information
13 in its records to those persons who request them if the Secretary of State approves of
14 the purpose for which the information is requested.

15 (d) The Secretary of State may not disclose information under this section for
16 use in telephone solicitations as defined in [§ 10–611(i) of this article] **§ 4–320(A) OF**
17 **THE GENERAL PROVISIONS ARTICLE**.

18 **Article – State Personnel and Pensions**

19 3–208.

20 (c) Names or lists of employees provided to the Board in connection with an
21 election under this title are not subject to disclosure in accordance with [Title 10,
22 Subtitle 6 of the State Government Article] **TITLE 4 OF THE GENERAL PROVISIONS**
23 **ARTICLE**.

24 3–2A–08.

25 (c) Names or lists of employees provided to the Board in connection with an
26 election under this title are not subject to disclosure in accordance with [Title 10,
27 Subtitle 6 of the State Government Article] **TITLE 4 OF THE GENERAL PROVISIONS**
28 **ARTICLE**.

29 3–501.

30 (e) Negotiations for a memorandum of understanding shall be considered
31 closed sessions under [§ 10–508 of the State Government Article] **§ 3–305 OF THE**
32 **GENERAL PROVISIONS ARTICLE**.

1 5-214.

2 Information obtained as part of an investigation conducted under this subtitle is
3 confidential within the meaning of [Title 10, Subtitle 6 of the State Government
4 Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**.

5 5-310.

6 (b) (2) A record that is protected from disclosure under [Title 10, Subtitle
7 6 of the State Government Article] **TITLE 4 OF THE GENERAL PROVISIONS**
8 **ARTICLE** may be used as evidence in a hearing only if:

9 (i) the material is essential to the conduct of the hearing; and

10 (ii) names and other identifying information are deleted to the
11 extent necessary to maintain confidentiality.

12 (3) The confidentiality of records and information protected from
13 disclosure under [Title 10, Subtitle 6 of the State Government Article] **TITLE 4 OF**
14 **THE GENERAL PROVISIONS ARTICLE** shall be maintained in each hearing.

15 5-314.

16 Information obtained as part of an investigation conducted under this subtitle is
17 confidential within the meaning of [Title 10, Subtitle 6 of the State Government
18 Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**.

19 **Article – Tax – General**

20 1-201.

21 (a) In this section, “legal holiday” means:

22 (1) the day on which a legal holiday, as defined in [Article 1, § 27 of
23 the Code] **§ 1-111 OF THE GENERAL PROVISIONS ARTICLE**, is observed; or

24 **Article – Tax – Property**

25 1-303.

26 (a) In this section, “legal holiday” means:

27 (1) the day on which a legal holiday, as defined in [Article 1, § 27 of
28 the Code] **§ 1-111 OF THE GENERAL PROVISIONS ARTICLE**, is observed; or

1 **Article – Transportation**

2 5–201.1.

3 (c) The Chairman of the Commission shall:

4 (1) Based on the advice of the Commission and subject to the approval
5 of the Governor, appoint the Executive Director of the Administration in accordance
6 with [§ 15–501 of the State Government Article] **§ 5–501 OF THE GENERAL**
7 **PROVISIONS ARTICLE**; and

8 6–201.1.

9 (b) The Chairman of the Commission shall:

10 (1) Subject to the approval of the Governor, appoint the Executive
11 Director of the Administration in accordance with [§ 15–501 of the State Government
12 Article] **§ 5–501 OF THE GENERAL PROVISIONS ARTICLE**; and

13 12–111.

14 (b) (1) Subject to [§ 10–616(p) of the State Government Article] **§ 4–320**
15 **OF THE GENERAL PROVISIONS ARTICLE**, and except as otherwise provided by law,
16 all records of the Administration are public records and open to public inspection
17 during office hours.

18 12–112.

19 (a) Unless the information is classified as confidential under § 12–111 of this
20 subtitle or otherwise as provided by law, and subject to [§ 10–616(p) of the State
21 Government Article] **§ 4–320 OF THE GENERAL PROVISIONS ARTICLE**, the
22 Administration may furnish listings of vehicle registration and other public
23 information in its records to those persons who request them, but only if the
24 Administration approves of the purpose for which the information is requested.25 (d) (1) (i) In this subsection the following terms have the meanings
26 indicated.27 (ii) “Personal information” has the meaning indicated in [§
28 10–611(f) of the State Government Article] **§ 4–101(E) OF THE GENERAL**
29 **PROVISIONS ARTICLE**.30 (iii) “Telephone solicitation” has the meaning indicated in [§
31 10–611(h) of the State Government Article] **§ 4–320(A) OF THE GENERAL**
32 **PROVISIONS ARTICLE**.

1 (5) This subsection does not prevent the Administration from
2 furnishing personal information under this section:

3 (ii) For another purpose permissible under [§ 10–616(p) of the
4 State Government Article] **§ 4–320 OF THE GENERAL PROVISIONS ARTICLE.**

5 12–113.

6 (a) (1) Subject to § 12–111 of this subtitle and [§ 10–616(p) of the State
7 Government Article] **§ 4–320 OF THE GENERAL PROVISIONS ARTICLE**, the
8 Administrator or any other officer or employee of the Administration designated by
9 the Administrator may furnish on request a copy or a certified copy of any record of
10 the Administration.

11 (4) The fee established and charged under this section may exceed the
12 amounts authorized under [§ 10–621 of the State Government Article] **§ 4–206 OF**
13 **THE GENERAL PROVISIONS ARTICLE.**

14 12–302.

15 (b) (2) In accordance with [§ 10–616 of the State Government Article] **§§**
16 **4–304 THROUGH 4–325 OF THE GENERAL PROVISIONS ARTICLE** and any other
17 applicable law, and on request by an Executive Branch agency, the Administration
18 shall electronically transmit to the Executive Branch agency appropriate information
19 about each applicant who consents in accordance with paragraph (1) of this subsection.

20 **The Charter of Baltimore City**

21 Article II – General Powers

22 The Mayor and City Council of Baltimore shall have full power and authority to
23 exercise all of the powers heretofore or hereafter granted to it by the Constitution of
24 Maryland or by any Public General or Public Local Laws of the State of Maryland; and
25 in particular, without limitation upon the foregoing, shall have power by ordinance, or
26 such other method as may be provided for in its Charter, subject to the provisions of
27 said Constitution and Public General Laws:

28 **(68) MARYLAND PUBLIC ETHICS LAW.**

29 **TO EXERCISE THE POWER AND AUTHORITY CONTAINED IN TITLE 5,**
30 **SUBTITLE 8, PART II OF THE GENERAL PROVISIONS ARTICLE OF THE**
31 **ANNOTATED CODE OF MARYLAND.**

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2014.