

Chapter 104

(House Bill 969)

AN ACT concerning

General Provisions – Cross-References and Corrections

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

BY renumbering

Article – State Government

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

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

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

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

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–102(e)(1) and 2–503(a)(4)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 12–304(d)(3), 12.5–303(d)(3), and 17–1011(b)(5)(iii)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2–207(a), 2–309(j)(5)(vi)3., 5–106(i), 5–110, 6–410(a), and 8–105(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–708(a)(3)(i)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–407(a)(2), 10–814(a)(2), 11–408(a)(2), and 11–509(a)(2)
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–304(c), 3–3A–06(b)(1), 3–5A–05(c), 3–5B–04(b), 3–704(c), 3–12A–05(c),
5–302(a)(4)(i) and (f)(1), 12–104(j)(1), 12–113(c)(2), 13–305(c),
14–104(d)(2), 14–110(c)(2), 14–404(c)(1), 15–104(b)(6), and 24–207(b)(3)(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–204(h)(3), 5–304(d)(3)(i), and 13–501 through 13–504
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 7–406(k) and 7–702(f)(1)
Annotated Code of Maryland
(2013 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–402(c)(2), 4–528(a), 4–706(a) and (b), 4–707(a)(2), 5–203(b), and
5–4B–06(c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions

Section 2–114(a)(3), 2–117(b)(1), 5–909(b)(1), 8–307(c) and (d)(1), 8–309(a)(2),
11–620(a) and (d), 11–622(a), 12–408.1(a) and (d), 12–430.1(a)(1), and
12–922(e)(2)

Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–406(c)

Annotated Code of Maryland

(As enacted by Chapter 94 (H.B. 270) of the Acts of the General Assembly of
2014)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–217(f), 4–304(c)(2)(i), 5–708(a) and (b), 5–709(a), 13–2003(c),
15–103(b)(27)(ix), 15–147, 17–604(a), 20–108(b)(2)(ii), and 24–504(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–411(c)(1) and 19–205(5)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 9–304(b), 12–309(a)(1), and 16–306(c)(2)

Annotated Code of Maryland

(2006 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–465(f) and 11–304(b)

Annotated Code of Maryland

(2007 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 2–209(g)(2)(ii), 4–401(f)(1), 4–405(a)(2)(ii), 10–118(i)(2)(ii),
11–603(c)(3)(ii), 14–106(f)(2), 14–133(e)(2)(iii), 15–1902(c)(3)(ii)1.,
19–112(e), 19–211(b)(1), 20–201(d)(3)(ii), 27–501(h)(4), 27–802(b),
31–103(a), and 31–104(d)(1) and (n)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–906(g) and 10–104(b)(2)(i)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Land Use

Section 15–104(c)(1) and 16–205(b)(2)

Annotated Code of Maryland

(2012 Volume and 2013 Supplement)

BY adding to

Article – Local Government

Section 5–218 and 10–103

Annotated Code of Maryland

(2013 Volume)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 9–405(b), 20–103(a)(1), 20–604(e)(1), and 29–108(d)(2)

Annotated Code of Maryland

(2013 Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–205(l)(2), 8–704.1(b)(4), and 8–1915(a)(3)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 12–101(h)(1), 18–205(c)(4), and 19–101

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 14–126.1(g)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 2–201(a), 5–703(c), 7–229(i), 7–230(h), 10A–201(b)(1)(v),
10A–203(b)(1)(i), 10A–204(b), 11–201(c), 13–202(a)(2), and
13–223(b)(1)(ii)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–709(c)(2), 2–1224(f), 9–20B–07(d), and 10–117(a)(2)(i); 10–604 to be
under the amended part “Part I. Forms Management”; 10–631 and
10–633 to be under the amended part “Part II. Records Management”;
10–637 and 10–638 to be under the amended part “Part III. Disposition of
Records and Other Materials”; and 10–903(b), 10–905(c)(2)(ii), and
18–114(a) and (d)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 3–208(c), 3–2A–08(c), 3–501(e), 5–214, 5–310(b)(2) and (3), and 5–314

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 1–201(a)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 1–303(a)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 5–201.1(c)(1), 6–201.1(b)(1), 12–111(b)(1), 12–112(a) and (d)(1) and
(5)(ii), 12–113(a)(1) and (4), and 12–302(b)(2)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY adding to

The Charter of Baltimore City

Article II – General Powers

Section (68)

(2007 Replacement Volume, as amended)

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

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

Article 2B – Alcoholic Beverages

7–101.

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

15–112.

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

15–201.

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

15–205.

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

(i) (4) Notwithstanding any other provision of the Code or local law, employees of the Harford County Liquor Control Board are subject to the provisions

regarding conflicts of interest, and lobbying activities found in [Title 15, Subtitle 5, Part I, and Subtitle 7 of the State Government Article] **TITLE 5, SUBTITLE 5, PART I AND SUBTITLE 7 OF THE GENERAL PROVISIONS ARTICLE**, but may not be required to file the statement required by [§ 15–601 of the State Government Article] **§ 5–601 OF THE GENERAL PROVISIONS ARTICLE**.

Article – Agriculture

2–102.

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

2–503.

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

Article – Business Regulation

12–304.

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

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

12.5–303.

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

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

17–1011.

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

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

Article – Courts and Judicial Proceedings

2–207.

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

2–309.

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

5–106.

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

5–110.

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

6–410.

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

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

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

8–105.

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

Article – Criminal Law

3–708.

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

Article – Economic Development

10–407.

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

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

10–814.

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

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

11–408.

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

(2) is not subject to:

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

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

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

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

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

2. Title 3 (Budget and Management);

3. Title 4 (Department of General Services);

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

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

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

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

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

9. Division II (General Procurement Law).

11–509.

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

(2) is not subject to:

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

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

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

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

1. Title 2, Subtitles 2 (Gifts and Grants), 4 (Facsimile Signatures and Seals), and 5 (Facilities for Handicapped);
2. Title 3 (Budget and Management);
3. Title 4 (Department of General Services);
4. § 5A-304 (Maryland Historical Trust Property Acquisition);
5. Title 6, Subtitle 1 (Revenues: Studies and Estimates);
6. Title 7, Subtitles 1 (State Operating Budget), 2 (Disbursements and Expenditures), and 3 (Unspent Balances);
7. Title 8, Subtitle 1 (General Obligation Debt);
8. Title 10 (Board of Public Works – Miscellaneous Provisions); and
9. Division II (General Procurement Law).

Article – Education

3-304.

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

3-3A-06.

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

3-5A-05.

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

3-5B-04.

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

3-704.

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

3-12A-05.

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

5-302.

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

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

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

12-104.

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

12-113.

(c) (2) Notwithstanding the provisions of [§§ 15-501 through 15-504 of the State Government Article] **§§ 5-501 THROUGH 5-504 OF THE GENERAL PROVISIONS ARTICLE** and subject to [§ 15-523 of the State Government Article] **§**

5-525 OF THE GENERAL PROVISIONS ARTICLE, an official or employee of a public institution of higher education may be a director, official, or employee of an entity intended to support a high impact economic development activity, if the individual's participation advances the interests of the institution.

13-305.

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

14-104.

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

14-110.

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

14-404.

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

15-104.

(b) (6) [Sections 15-501 through 15-504 of the State Government Article] **SECTIONS 5-501 THROUGH 5-504 OF THE GENERAL PROVISIONS ARTICLE** do not bar an official or employee of a public institution of higher education from

becoming a director, official, or employee of an independent foundation organized to foster fundraising and provide related services for the benefit of the institution.

24–207.

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

Article – Election Law

3–204.

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

5–304.

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

(3) evidence that the individual has filed:

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

13–501.

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

13–502.

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

13-503.

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

13-504.

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

Article – Environment

7-406.

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

7-702.

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

Article – Family Law

2-402.

(c) The Social Security numbers of the parties:

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

4-528.

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

4–706.

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

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

4–707.

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

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

5–203.

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

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

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

5–4B–06.

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

Article – Financial Institutions

2–114.

(a) The Commissioner may:

(3) Subject to the provisions of [Title 10, Subtitle 6 of the State Government Article] **TITLE 4 OF THE GENERAL PROVISIONS ARTICLE**, publish information concerning a violation of a law, regulation, rule, or order over which the Commissioner has jurisdiction.

2–117.

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

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

5–909.

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

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

8–307.

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

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

8–309.

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

11–620.

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

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

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

11–622.

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

12–408.1.

(a) (1) The requirements under any federal law and [§§ 10–611 through 10–628 of the State Government Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE** regarding the privacy or confidentiality of information or material provided to the nationwide licensing system, and any privilege arising under federal or state law, including the rules of any federal or state court with respect to that information or material, shall continue to apply to that information or

material after the information or material has been disclosed to the nationwide licensing system.

(2) The information and material may be shared with all state and federal regulatory officials having oversight authority over the money transmission industry, including the Financial Crimes Enforcement Network, without the loss of privilege or the loss of confidentiality protections provided by federal law or [§§ 10–611 through 10–628 of the State Government Article] **TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE.**

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

12–430.1.

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

12–922.

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

Article – General Provisions

5–406.

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

Article – Health – General

4–217.

(f) The Secretary shall include with every copy of a death certificate that is completed by the Chief Medical Examiner a notice that advises a person in interest, as

defined in [§ 10–611(f)(3) of the State Government Article] **§ 4–101(E) OF THE GENERAL PROVISIONS ARTICLE**, of the right to appeal a denial by the Chief Medical Examiner of a request to correct findings and conclusions as to the cause and manner of death recorded on a death certificate as provided under § 5–310(d) of this article.

4–304.

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

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

5–708.

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

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

5–709.

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

13–2003.

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

15–103.

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

15–147.

Notwithstanding [§ 15–504 of the State Government Article] **§ 5–504 OF THE GENERAL PROVISIONS ARTICLE**, a former official or employee may not be considered to have participated significantly in a contract if the former official or employee:

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

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

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

17–604.

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

20–108.

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

24–504.

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

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

Article – Health Occupations

14–411.

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

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

19–205.

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

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

Article – Housing and Community Development

9–304.

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

12–309.

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

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

16–306.

(c) (2) Providing a list under this subsection by the Montgomery Commission, the labor relations administrator, or any Montgomery Commission

officials, employees, or other agents does not violate [§ 10–617(e) of the State Government Article] **§ 4–331 OF THE GENERAL PROVISIONS ARTICLE** or any State or local law.

Article – Human Services

10–465.

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

11–304.

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

Article – Insurance

2–209.

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

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

4–401.

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

4–405.

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

10–118.

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

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

11-603.

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

14-106.

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

14-133.

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

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

15-1902.

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

(ii) not subject to:

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

19-112.

(e) At least 15 days prior to granting an application under [§ 10-614 of the State Government Article] **§ 4-203 OF THE GENERAL PROVISIONS ARTICLE** to

inspect company-specific data that was requested by bulletin under this section, the Commissioner shall notify the insurer that supplied the data:

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

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

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

19-211.

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

20-201.

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

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

27-501.

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

27-802.

(b) In addition to any protection provided under [§ 10-618 of the State Government Article] **TITLE 4, SUBTITLE 4, PART IV OF THE GENERAL PROVISIONS ARTICLE,** any information, documentation, or other evidence provided under this section by an insurer, its employees, fund producers, or insurance producers, a viatical settlement provider, a viatical settlement broker, an independent insurance producer, or a registered premium finance company to the Commissioner, the Fraud Division, or a federal, State, or local law enforcement authority in connection with an investigation of suspected insurance fraud is not subject to public inspection for as long as the Commissioner, Fraud Division, or law enforcement

authority considers the withholding to be necessary to complete an investigation of the suspected fraud or to protect the person investigated from unwarranted injury.

31–103.

(a) The Exchange is subject to:

(1) THE FOLLOWING PROVISIONS OF THE GENERAL PROVISIONS ARTICLE:

(I) TITLE 3 (OPEN MEETINGS ACT);

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

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

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

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

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

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

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

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

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

(iv) **Title 12 (Immunity and Liability); and**

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

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

31–104.

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

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

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

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

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

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

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

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

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

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

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

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

Article – Labor and Employment

3–906.

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

10–104.

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

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

Article – Land Use

15–104.

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

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

16–205.

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

Article – Local Government

5–218.

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

9–405.

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

10–103.

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

20–103.

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

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

20–604.

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

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

29–108.

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

Article – Natural Resources

4–205.

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

8–704.1.

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

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

8–1915.

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

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

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

Article – Public Utilities

12–101.

(h) “Legal holiday” means:

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

18–205.

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

19–101.

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

Article – Real Property

14–126.1.

(g) (1) The Foreclosed Property Registry:

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

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

Article – State Finance and Procurement

2–201.

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

5–703.

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

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

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

7–229.

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

7–230.

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

10A–201.

(b) (1) A presolicitation report shall:

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

1. confidential commercial information;
2. confidential financial information; and
3. trade secrets; and

10A–203.

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

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

1. confidential commercial information;
2. confidential financial information; and
3. trade secrets; and

10A–204.

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

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

11–201.

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

13-202.

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

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

13-223.

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

Article – State Government

2-709.

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

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

2-1224.

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

9-20B-07.

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

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

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

10–117.

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

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

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

[10–604.] **10–601.**

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

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

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

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

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

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

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

[10–631.] **10–608.**

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

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

(c) "Program" means a program for the management of the records of a unit of the State government.

[10-633.] 10-610.

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

(b) The program shall include procedures:

(1) to ensure the security of the records;

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

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

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

[10-637.] 10-614.

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

(b) "Archives" means the State Archives.

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

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

[10-638.] 10-615.

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

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

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

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

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

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

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

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

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

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

10–903.

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

10–905.

(c) Online access:

(2) may not include:

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

18–114.

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

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

Article – State Personnel and Pensions

3-208.

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

3-2A-08.

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

3-501.

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

5-214.

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

5-310.

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

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

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

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

5-314.

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

Article – Tax – General

1–201.

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

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

Article – Tax – Property

1–303.

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

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

Article – Transportation

5–201.1.

(c) The Chairman of the Commission shall:

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

6–201.1.

(b) The Chairman of the Commission shall:

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

12–111.

(b) (1) Subject to [§ 10–616(p) of the State Government Article] **§ 4–320 OF THE GENERAL PROVISIONS ARTICLE**, and except as otherwise provided by law,

all records of the Administration are public records and open to public inspection during office hours.

12-112.

(a) Unless the information is classified as confidential under § 12-111 of this subtitle or otherwise as provided by law, and subject to [§ 10-616(p) of the State Government Article] **§ 4-320 OF THE GENERAL PROVISIONS ARTICLE**, the Administration may furnish listings of vehicle registration and other public information in its records to those persons who request them, but only if the Administration approves of the purpose for which the information is requested.

(d) (1) (i) In this subsection the following terms have the meanings indicated.

(ii) "Personal information" has the meaning indicated in [§ 10-611(f) of the State Government Article] **§ 4-101(E) OF THE GENERAL PROVISIONS ARTICLE**.

(iii) "Telephone solicitation" has the meaning indicated in [§ 10-611(h) of the State Government Article] **§ 4-320(A) OF THE GENERAL PROVISIONS ARTICLE**.

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

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

12-113.

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

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

12-302.

(b) (2) In accordance with [§ 10-616 of the State Government Article] **§§ 4-304 THROUGH 4-325 OF THE GENERAL PROVISIONS ARTICLE** and any other

applicable law, and on request by an Executive Branch agency, the Administration shall electronically transmit to the Executive Branch agency appropriate information about each applicant who consents in accordance with paragraph (1) of this subsection.

The Charter of Baltimore City

Article II – General Powers

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

(68) MARYLAND PUBLIC ETHICS LAW.

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

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

Approved by the Governor, April 8, 2014.