

SENATE BILL 963

P3, K1

9lr3065

By: **Senators Klausmeier and Edwards**

Introduced and read first time: February 18, 2019

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Public Information Act – Workers’ Compensation Commission – Denial of Part**
3 **of a Public Record**

4 FOR the purpose of requiring a custodian of records to deny inspection of the part of a
5 public record of the Workers’ Compensation Commission that contains personal
6 information of an individual other than by an attorney of a party to a workers’
7 compensation claim; requiring a custodian to allow inspection of a certain part of a
8 certain public record by the person in interest or a party to a certain claim for
9 workers’ compensation; requiring a custodian to allow inspection of a certain part of
10 a certain public record for certain purposes, when required by federal law, or if
11 authorized by a person in interest; providing for the application of this Act; and
12 generally relating to the denial of parts of public records under the Public
13 Information Act.

14 BY adding to
15 Article – General Provisions
16 Section 4–329.1
17 Annotated Code of Maryland
18 (2014 Volume and 2018 Supplement)

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

21 **Article – General Provisions**

22 **4–329.1.**

23 **(A) THIS SECTION DOES NOT APPLY TO A PUBLIC RECORD THAT IS A FINAL**
24 **DECISION OF THE WORKERS’ COMPENSATION COMMISSION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS SECTION, A**
2 **CUSTODIAN SHALL DENY INSPECTION OF THE PART OF A PUBLIC RECORD OF THE**
3 **WORKERS' COMPENSATION COMMISSION THAT CONTAINS PERSONAL**
4 **INFORMATION OF AN INDIVIDUAL OTHER THAN BY AN ATTORNEY OF A PARTY TO A**
5 **WORKERS' COMPENSATION CLAIM.**

6 **(C) A CUSTODIAN SHALL ALLOW INSPECTION OF THE PART OF A PUBLIC**
7 **RECORD DESCRIBED IN SUBSECTION (B) OF THIS SECTION BY:**

8 **(1) A PERSON IN INTEREST; OR**

9 **(2) A PARTY TO THE CLAIM FOR WORKERS' COMPENSATION THAT THE**
10 **RECORD CONCERNS.**

11 **(D) A CUSTODIAN SHALL ALLOW INSPECTION OF THE PART OF A PUBLIC**
12 **RECORD DESCRIBED IN SUBSECTION (A) OF THIS SECTION:**

13 **(1) IF AUTHORIZED BY A PERSON IN INTEREST;**

14 **(2) WHEN REQUIRED BY FEDERAL LAW;**

15 **(3) FOR USE BY A FEDERAL, STATE, OR LOCAL GOVERNMENT,**
16 **INCLUDING A LAW ENFORCEMENT AGENCY, OR A COURT IN CARRYING OUT ITS**
17 **FUNCTIONS;**

18 **(4) FOR USE IN CONNECTION WITH A CIVIL, ADMINISTRATIVE,**
19 **ARBITRAL, OR CRIMINAL PROCEEDING IN A FEDERAL, STATE, OR LOCAL COURT OR**
20 **REGULATORY AGENCY FOR SERVICE OF PROCESS, INVESTIGATION IN ANTICIPATION**
21 **OF LITIGATION, AND EXECUTION OR ENFORCEMENT OF JUDGMENTS OR ORDERS; OR**

22 **(5) FOR USE BY AN INSURER, AN INSURANCE SUPPORT**
23 **ORGANIZATION, OR A SELF-INSURED ENTITY, OR ITS EMPLOYEES, AGENTS, OR**
24 **CONTRACTORS, IN CONNECTION WITH RATING, UNDERWRITING, CLAIMS**
25 **INVESTIGATING, AND ANTIFRAUD ACTIVITIES.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2019.