

SENATE BILL 193

P3

0lr1695
CF HB 380

By: **Senator Kagan**

Introduced and read first time: January 15, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 18, 2020

CHAPTER _____

1 AN ACT concerning

2 **Public Information Act – Denial of Part of a Public Record – Investigations by**
3 **Inspectors General**

4 FOR the purpose of authorizing a custodian to deny inspection of records of investigations
5 conducted by or investigatory files compiled by certain inspectors general; and
6 generally relating to denial of inspection of records of investigations by inspectors
7 general.

8 BY repealing and reenacting, with amendments,
9 Article – General Provisions
10 Section 4–351
11 Annotated Code of Maryland
12 (2019 Replacement Volume)

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

15 **Article – General Provisions**

16 4–351.

17 (a) Subject to subsection (b) of this section, a custodian may deny inspection of:

18 (1) records of investigations conducted by the Attorney General, a State’s
19 Attorney, a municipal or county attorney, a police department, or a sheriff;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 (2) an investigatory file compiled for any other law enforcement, judicial,
2 correctional, or prosecution purpose; [or]

3 (3) records that contain intelligence information or security procedures of
4 the Attorney General, a State’s Attorney, a municipal or county attorney, a police
5 department, a State or local correctional facility, or a sheriff; **OR**

6 **(4) RECORDS OF INVESTIGATIONS CONDUCTED BY OR AN**
7 **INVESTIGATORY FILE COMPILED BY AN INSPECTOR GENERAL WHOSE OFFICE IS**
8 **CREATED BY STATE LAW OR THE LAWS OF A POLITICAL SUBDIVISION OF THE STATE.**

9 (b) A custodian may deny inspection by a person in interest only to the extent
10 that the inspection would:

- 11 (1) interfere with a valid and proper law enforcement proceeding;
- 12 (2) deprive another person of a right to a fair trial or an impartial
13 adjudication;
- 14 (3) constitute an unwarranted invasion of personal privacy;
- 15 (4) disclose the identity of a confidential source;
- 16 (5) disclose an investigative technique or procedure;
- 17 (6) prejudice an investigation; or
- 18 (7) endanger the life or physical safety of an individual.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.