SENATE BILL 307

P1, P3 2lr2010 CF 2lr1923

By: Senator Lam

Introduced and read first time: January 20, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

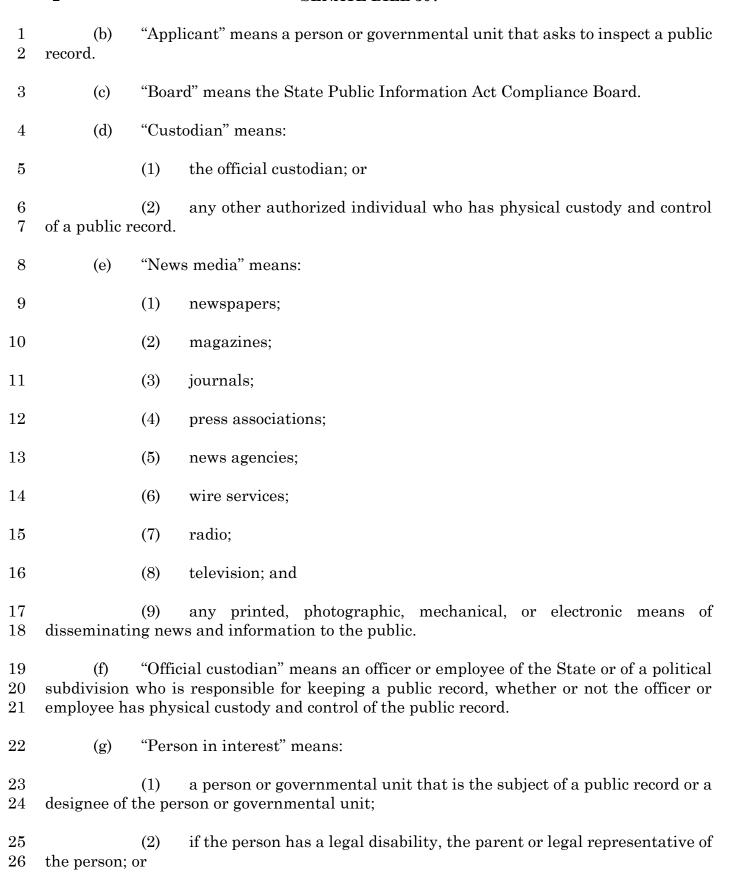
1	AN ACT concerning				
2 3	Public Records – Retention and Inspection – Communications (Transparency in Public Records Act of 2022)				
4	FOR the purpose of altering the definition of "public record" and defining "record" for the				
5	purposes of the Public Information Act and the State records management program				
6	to include certain written, electronic, and recorded audio or video communications;				
7	defining "unit" for the purposes of the State records management program to include				
8	the Office of the Governor; and generally relating to the retention and inspection of				
9	public records.				
10	BY repealing and reenacting, with amendments,				
11	Article – General Provisions				
12	Section 4–101				
13	Annotated Code of Maryland				
14	(2019 Replacement Volume and 2021 Supplement)				
15	BY repealing and reenacting, with amendments,				
16	Article – State Government				
17	Section 10–608				
18	Annotated Code of Maryland				
19	(2021 Replacement Volume)				
20	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,				
21	That the Laws of Maryland read as follows:				
22	Article - General Provisions				
23	4–101.				

In this title the following words have the meanings indicated.

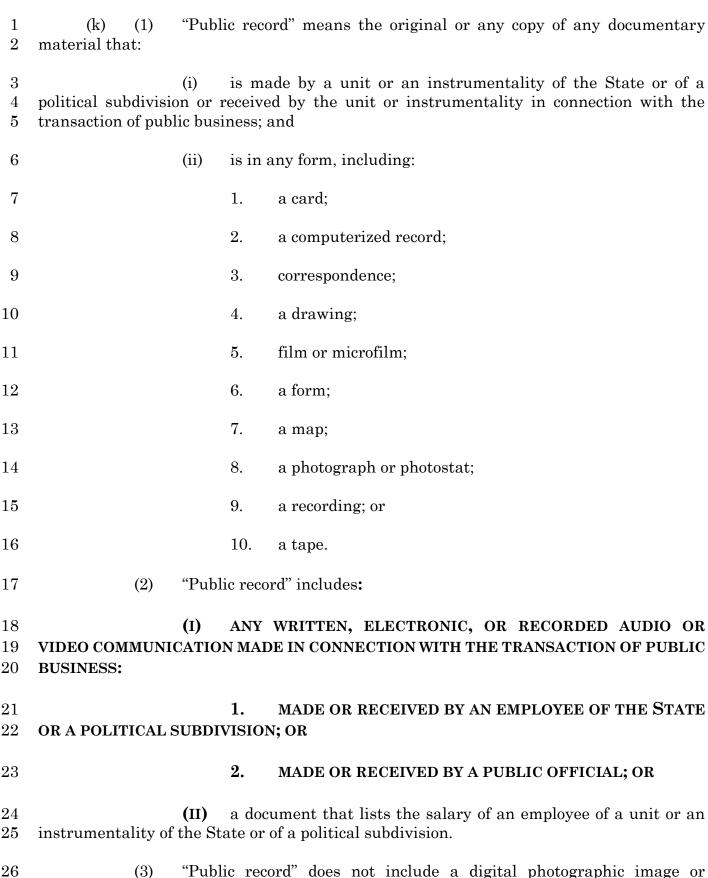
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(a)





1 2 3	(3) as to requests for correction of certificates of death under § 5–310(d)(2) of the Health – General Article, the spouse, adult child, parent, adult sibling, grandparent, or guardian of the person of the deceased at the time of the deceased's death.				
4	(h)	(1)	"Personal information" means information that identifies an individual.		
5 6	includes an	(2) indivi	Except as provided in § 4–355 of this title, "personal information" idual's:		
7			(i)	name;	
8			(ii)	address;	
9			(iii)	driver's license number or any other identification number;	
10			(iv)	medical or disability information;	
11			(v)	photograph or computer-generated image;	
12			(vi)	Social Security number; and	
13			(vii)	telephone number.	
14		(3)	"Personal information" does not include an individual's:		
15			(i)	driver's status;	
16			(ii)	driving offenses;	
17			(iii)	five-digit zip code; or	
18			(iv)	information on vehicular accidents.	
19	(i)	"Poli	ce offic	er" has the meaning stated in § 3–201 of the Public Safety Article.	
20	(j)	"Poli	Political subdivision" means:		
21		(1)	a county;		
22		(2)	a mu	nicipal corporation;	
23		(3)	an unincorporated town;		
24		(4)	a sch	ool district; or	
25		(5)	a spe	cial district.	



26 (3) "Public record" does not include a digital photographic image or signature of an individual, or the actual stored data of the image or signature, recorded by the Motor Vehicle Administration.

"Technical infraction" means a minor rule violation by an individual solely 1 (1)2 related to the enforcement of administrative rules that: 3 (1) does not involve an interaction between a member of the public and the individual; 4 does not relate to the individual's investigative, enforcement, training, 5 (2)supervision, or reporting responsibilities; and 6 7 (3)is not otherwise a matter of public concern. Article - State Government 8 10-608. 9 10 (a) In this Part II of this subtitle the following words have the meanings 11 indicated. "Archives" means the State Archives. 12(b) "Division" means the Records Management Division of the Department of 13 General Services. 14 "Program" means a program for the management of the records of a unit of 15 (d) the State government. 16 17 "RECORD" INCLUDES ANY WRITTEN, ELECTRONIC, OR RECORDED AUDIO OR VIDEO COMMUNICATION MADE IN CONNECTION WITH THE TRANSACTION 18 OF PUBLIC BUSINESS: 19 20 **(1)** MADE OR RECEIVED BY AN EMPLOYEE OF THE STATE; OR 21MADE OR RECEIVED BY A PUBLIC OFFICIAL OF THE STATE. **(2)** 22 [(e)] **(F)** "Records officer" means any individual designated under § 10–610(b) of this subtitle. 23 "UNIT" INCLUDES THE OFFICE OF THE GOVERNOR. 24 (G) SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 25

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1, 2022.