

HOUSE BILL 1143

D1

3lr2242

By: ~~Delegate~~ Delegates Moon, Arikan, Conaway, Grammer, and Kaufman

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2023

CHAPTER _____

1 AN ACT concerning

2 **Courts – Recordings of Proceedings – Access**

3 FOR the purpose of requiring an authorized custodian of a recording of a court proceeding
4 to make available on request a copy of the recording; requiring the authorized
5 custodian to ensure that certain portions of a provided recording are redacted;
6 requiring the authorized custodian to make available unredacted recordings of
7 shielded or closed court proceedings to certain individuals; and generally relating to
8 access to recordings of court proceedings.

9 BY adding to

10 Article – Courts and Judicial Proceedings

11 Section 1–206

12 Annotated Code of Maryland

13 (2020 Replacement Volume and 2022 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Courts and Judicial Proceedings**

17 **1–206.**

18 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND**
19 **UNLESS OTHERWISE ORDERED BY THE COURT, THE AUTHORIZED CUSTODIAN OF AN**
20 **AUDIO ~~OR AUDIO-VIDEO~~ RECORDING OF A COURT PROCEEDING SHALL MAKE**

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 AVAILABLE A COPY OF THE AUDIO RECORDING ~~OR, IF PRACTICABLE, THE~~
2 ~~AUDIO VIDEO RECORDING~~ TO ANY PERSON ON WRITTEN REQUEST.

3 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION AND
4 UNLESS OTHERWISE ORDERED BY THE ADMINISTRATIVE JUDGE OF A COUNTY, THE
5 AUTHORIZED CUSTODIAN OF A RECORDING OF A COURT PROCEEDING SHALL
6 ENSURE THAT ANY PORTION OF THE RECORDING THAT THE COURT HAS ORDERED
7 SHIELDED FROM PUBLIC ACCESS AND INSPECTION IS REDACTED PRIOR TO
8 PROVIDING A COPY OF THE RECORDING UNDER THIS SECTION.

9 (C) ON WRITTEN REQUEST, THE AUTHORIZED CUSTODIAN OF A RECORDING
10 OF A CLOSED COURT PROCEEDING OR A RECORDING OF A COURT PROCEEDING
11 FROM WHICH SHIELDED PORTIONS HAVE NOT BEEN REDACTED SHALL MAKE A COPY
12 OF THE RECORDING AVAILABLE TO:

13 (1) THE CHIEF JUSTICE OF THE SUPREME COURT OF MARYLAND;

14 (2) THE ADMINISTRATIVE JUDGE OF A COUNTY;

15 (3) THE CIRCUIT ADMINISTRATIVE JUDGE HAVING SUPERVISORY
16 AUTHORITY OVER A COURT;

17 (4) THE JUDGE WHO PRESIDED OVER THE PROCEEDING;

18 (5) THE COMMISSION ON JUDICIAL DISABILITIES OR, AT ITS
19 DISCRETION, THE COMMISSION'S INVESTIGATIVE COUNSEL;

20 (6) BAR COUNSEL;

21 (7) UNLESS OTHERWISE ORDERED BY THE COURT, A PARTY TO THE
22 PROCEEDING OR THE ATTORNEY FOR A PARTY;

23 (8) A STENOGRAPHER OR TRANSCRIPTION SERVICE DESIGNATED BY
24 THE COURT FOR THE PURPOSE OF PREPARING AN OFFICIAL TRANSCRIPT OF THE
25 PROCEEDING, PROVIDED THAT:

26 (I) THE TRANSCRIPT OF AN UNREDACTED PORTION OF A
27 PROCEEDING, WHEN FILED WITH THE COURT, IS PLACED UNDER SEAL OR
28 OTHERWISE SHIELDED BY ORDER OF THE COURT; AND

29 (II) THE TRANSCRIPT OF AN OTHERWISE CLOSED PROCEEDING
30 OR A TRANSCRIPT CONTAINING UNREDACTED SAFEGUARDED PORTIONS IS NOT
31 PREPARED FOR OR DELIVERED TO A PERSON OTHER THAN ONE LISTED IN THIS
32 SUBSECTION; OR

1 **(9) ANY OTHER PERSON AUTHORIZED BY THE ADMINISTRATIVE**
2 **JUDGE OF A COUNTY.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.