4lr2707CF SB 905

By: Delegates R. Lewis, Attar, Edelson, Embry, Fraser-Hidalgo, Kaufman, Lopez, Palakovich Carr, Pasteur, Phillips, Queen, Smith, Solomon, Stein, and Young

Introduced and read first time: February 8, 2024

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 3, 2024

CHAPTER

- 1 AN ACT concerning
- 2 Public Safety Extreme Risk Protective Orders Review of Court Records
- 3 FOR the purpose of authorizing researchers affiliated with institutions of higher education
- 4 who are conducting academic or policy research to review a court record related to a
- 5 petition for an extreme risk protective order; and generally relating to extreme risk
- 6 protective orders.
- 7 BY repealing and reenacting, with amendments,
- 8 Article Public Safety
- 9 Section 5–602
- 10 Annotated Code of Maryland
- 11 (2022 Replacement Volume and 2023 Supplement)
- 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 13 That the Laws of Maryland read as follows:
- 14 Article Public Safety
- 15 5-602.
- 16 (a) (1) A petition for an extreme risk protective order shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

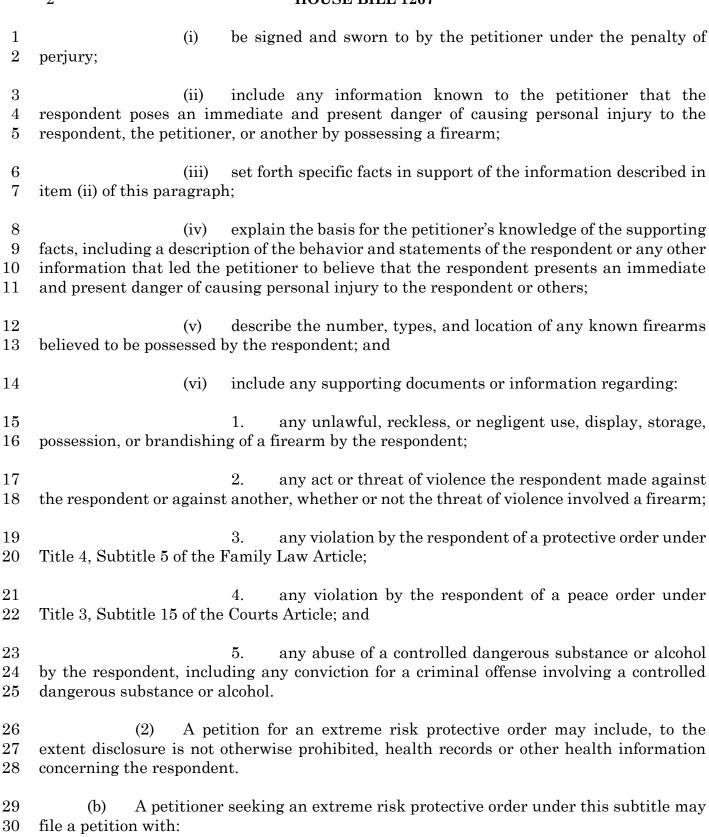
<u>Underlining</u> indicates amendments to bill.

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



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(1)



32 (2) when the Office of the District Court Clerk is closed, a District Court 33 commissioner.

the District Court; or

1 2 3		er this su	ourt records relating to a petition for an extreme risk protective abtitle are confidential and the contents may not be divulged, by xcept by order of the court on good cause shown.	
4 5	petition by: (2)	This	This subsection does not prohibit review of a court record relating to a	
6		(i)	personnel of the court;	
7		(ii)	the respondent or counsel for the respondent;	
8		(iii)	authorized personnel of the Maryland Department of Health;	
9 10	(iv) authorized personnel of a local core service agency or local behavioral health authority;			
11		(v)	a law enforcement agency; [or]	
12		(vi)	a person authorized by a court order on good cause shown; OR	
13 14	EDUCATION CO	` ,	RESEARCHERS AFFILIATED WITH INSTITUTIONS OF HIGHER NG RELATED ACADEMIC OR POLICY RESEARCH.	
15 16	(d) A petitioner who, in good faith, files a petition under this subtitle is not civilly or criminally liable for filing the petition.			
17 18	(e) Nothing in this subtitle may be interpreted to require a health care provider to disclose health records or other health information concerning a respondent except:			
19 20	(1) in accordance with a subpoena directing delivery of the records or information to the court under seal; or			
21	(2)	by or	der of the court.	
22 23	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.			