

SB0381/413321/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 381
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Senator Love**” and substitute “**Senators Love, Folden, McKay, Smith, and Sydnor**”.

AMENDMENT NO. 2

On page 1, strike beginning with “without” in line 7 down through “purpose;” in line 8 and substitute “, subject to certain exceptions;”.

AMENDMENT NO. 3

On page 4, after line 11, insert:

“(6) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.”;

in line 12, strike “**(6)**” and substitute “**(7)**”; in line 14, strike “**(7)**” and substitute “**(8)**”; and in line 21, strike “**(8)**” and substitute “**(9)**”.

On page 5, strike beginning with “AN” in line 16 down through “CIRCUMSTANCES.” in line 18 and substitute:

“(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A LAW ENFORCEMENT AGENCY MAY ACCESS AND USE A RECORDED IMAGE OR ASSOCIATED DATA ALREADY RETAINED BY THE LAW ENFORCEMENT AGENCY IF:

1. THE LAW ENFORCEMENT AGENCY DOCUMENTS A REQUEST TO ACCESS AND USE THE RECORDED IMAGE OR ASSOCIATED DATA

THAT ARTICULATES A SPECIFIC LEGITIMATE LAW ENFORCEMENT PURPOSE FOR ACCESSING AND USING THE RECORDED IMAGE OR ASSOCIATED DATA; AND

2. THE CUSTODIAN OF THE RECORDED IMAGE OR ASSOCIATED DATA MAINTAINS A WRITTEN RECORD OF THE REQUEST AND WHETHER OR NOT THE REQUEST WAS GRANTED.

(II) A LAW ENFORCEMENT AGENCY THAT ACCESSES A RECORDED IMAGE OR ASSOCIATED DATA UNDER THIS PARAGRAPH MAY USE THE RECORDED IMAGE OR ASSOCIATED DATA ONLY FOR THE LEGITIMATE LAW ENFORCEMENT PURPOSE DESCRIBED IN THE REQUEST REQUIRED BY SUBPARAGRAPH (I)1 OF THIS PARAGRAPH.”.

On page 7, in line 17, strike the colon and substitute “, AFTER THE OTHER LAW ENFORCEMENT AGENCY HAS OBTAINED AN APPROPRIATE WARRANT, SUBPOENA, OR COURT ORDER.”; and strike in their entirety lines 18 through 20, inclusive.

AMENDMENT NO. 4

On page 6, strike beginning with “6” in line 3 down through “DATA” in line 5 and substitute “1 YEAR FOLLOWING THE CONCLUSION OF ANY CRIMINAL INVESTIGATION OR THE EXHAUSTION OF ALL THE AVENUES OF ADJUDICATION FOR THE VIOLATION”.