

Article - General Provisions

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§4-301.

(a) Subject to subsection (b) of this section, a custodian shall deny inspection of a public record or any part of a public record if:

- (1) by law, the public record is privileged or confidential; or
- (2) the inspection would be contrary to:
 - (i) a State statute;
 - (ii) a federal statute or a regulation that is issued under the statute and has the force of law;
 - (iii) the rules adopted by the Supreme Court of Maryland; or
 - (iv) an order of a court of record.

(b) If an applicant files a complaint with the Ombudsman challenging a denial or the application of an exemption under this subtitle, the custodian shall demonstrate that:

- (1) the denial or the exemption is clearly applicable to the requested public record; and
- (2) if inspection is denied under Part IV of this subtitle, the harm from disclosure of the public record is greater than the public interest in access to the information in the public record.

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