

HOUSE BILL 403

P3, D4

6lr2058
CF 6lr2059

By: **Delegates Simpson and Fair**

Introduced and read first time: January 22, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Public Information Act – Divorce Records**

3 FOR the purpose of requiring a custodian to deny inspection of certain records pertaining
4 to a divorce proceeding; and generally relating to divorce records and the Public
5 Information Act.

6 BY repealing and reenacting, without amendments,
7 Article – General Provisions
8 Section 4–101(a), (b), (d), (f), and (g)
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2025 Supplement)

11 BY adding to
12 Article – General Provisions
13 Section 4–305.1
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2025 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – General Provisions**

19 4–101.

20 (a) In this title the following words have the meanings indicated.

21 (b) “Applicant” means a person or governmental unit that asks to inspect a public
22 record.

23 (d) “Custodian” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) the official custodian; or

(2) any other authorized individual who has physical custody and control of a public record.

(f) “Official custodian” means an officer or employee of the State or of a political subdivision who is responsible for keeping a public record, whether or not the officer or employee has physical custody and control of the public record.

(g) “Person in interest” means:

(1) a person or governmental unit that is the subject of a public record or a designee of the person or governmental unit;

(2) if the person has a legal disability, the parent or legal representative of the person; or

(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.

4–305.1.

(A) THIS SECTION DOES NOT APPLY TO A FINAL DECREE IN A DIVORCE PROCEEDING.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CUSTODIAN SHALL DENY INSPECTION OF A RECORD PERTAINING TO A DIVORCE PROCEEDING, INCLUDING:

(1) AN APPLICATION FOR DIVORCE;

(2) A FINANCIAL RECORD SUBMITTED AS PART OF A DIVORCE PROCEEDING;

(3) A RECORD OF A DIVORCE SETTLEMENT; AND

(4) A CUSTODY ORDER.

(C) A CUSTODIAN SHALL RELEASE A RECORD PERTAINING TO A DIVORCE PROCEEDING TO AN APPLICANT WHO:

(1) IS A PERSON IN INTEREST;

1 **(2) IS A LAWYER REPRESENTING A PERSON IN INTEREST; OR**

2 **(3) HAS BEEN AUTHORIZED UNDER A COURT ORDER TO INSPECT THE**
3 **RECORD.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2026.