

HOUSE BILL 403

P3, D4

6lr2058
CF SB 426

By: **Delegates Simpson and Fair**

Introduced and read first time: January 22, 2026

Assigned to: Government, Labor, and Elections

Committee Report: Favorable

House action: Adopted

Read second time: February 26, 2026

CHAPTER _____

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.

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

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

4 (d) “Custodian” means:

5 (1) the official custodian; or

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

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

11 (g) “Person in interest” means:

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

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

16 (3) as to requests for correction of certificates of death under § 5–310(d)(2)
17 of the Health – General Article, the spouse, adult child, parent, adult sibling, grandparent,
18 or guardian of the person of the deceased at the time of the deceased’s death.

19 **4–305.1.**

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

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

25 (1) **AN APPLICATION FOR DIVORCE;**

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

28 (3) **A RECORD OF A DIVORCE SETTLEMENT; AND**

29 (4) **A CUSTODY ORDER.**

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

3 **(1) IS A PERSON IN INTEREST;**

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.