

HOUSE BILL 1393

F1

3lr3123

By: Delegates O'Donnell and ~~Serafini~~, Serafini, Barve, Boteler, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Stukes, Summers, F. Turner, Walker, and A. Washington

Introduced and read first time: February 14, 2013

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, February 26, 2013

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2013

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Student Work Product – Claim of Copyright Prohibited**

3 FOR the purpose of prohibiting a county board of education from claiming ownership
4 rights, property rights, or the copyright to the student work product of certain
5 students in certain public schools; defining a certain term; and generally
6 relating to the prohibition on claiming copyright of student work product in
7 public schools.

8 BY adding to

9 Article – Education

10 Section 4–128

11 Annotated Code of Maryland

12 (2008 Replacement Volume and 2012 Supplement)

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

15 **Article – Education**

16 **4–128.**

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) (1) IN THIS SECTION, “STUDENT WORK PRODUCT” MEANS THE**
2 **WORK CREATED BY AN INDIVIDUAL WHILE ENROLLED AS A STUDENT AT A**
3 **PUBLIC SCHOOL IN THE STATE.**

4 **(2) “STUDENT WORK PRODUCT” INCLUDES:**

5 **(I) WRITTEN REPORTS, ESSAYS, TESTS, AND HOMEWORK;**

6 **(II) PERSONAL CLASS NOTES;**

7 **(III) ART PROJECTS; AND**

8 **(IV) COMPUTER SOFTWARE.**

9 **(B) A COUNTY BOARD MAY NOT CLAIM OWNERSHIP RIGHTS, PROPERTY**
10 **RIGHTS, OR THE COPYRIGHT TO THE STUDENT WORK PRODUCT OF A STUDENT**
11 **ENROLLED IN A PUBLIC SCHOOL UNDER THE JURISDICTION OF THE COUNTY**
12 **BOARD.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.