

SB0649/538474/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 649
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Personal Information – Motor Vehicle Administration and Law Enforcement Databases – Restrictions on Access”; in line 9, after “date;” insert “requiring law enforcement agencies operating certain databases to require certain individuals accessing the databases to provide certain information; requiring certain agencies to deny access to certain databases by an individual seeking to enforce civil immigration law under certain circumstances;”; strike beginning with “the” in line 10 down through “Act” in line 11 and substitute “access to personal information by law enforcement agencies”; and after line 16, insert:

“BY adding to

Article – Public Safety

Section 3–522

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 6, after line 22, insert:

“Article – Public Safety

3–522.

(A) IN THIS SECTION, “DATABASE” MEANS ANY DATABASE OPERATED BY STATE AND LOCAL LAW ENFORCEMENT AGENCIES, INCLUDING DATABASES MAINTAINED FOR A LAW ENFORCEMENT AGENCY BY A PRIVATE VENDOR.

(Over)

(B) AN ENTITY OPERATING A DATABASE SHALL:

(1) LIMIT ACCESS TO THE DATABASE TO INDIVIDUALS ACTING ON BEHALF OF A LAW ENFORCEMENT AGENCY; AND

(2) REQUIRE AN INDIVIDUAL ACCESSING THE DATABASE TO PROVIDE TO THE ENTITY:

(I) THE INDIVIDUAL'S NAME;

(II) THE INDIVIDUAL'S CONTACT INFORMATION, INCLUDING A TELEPHONE NUMBER, AN E-MAIL ADDRESS, AND A PHYSICAL ADDRESS;

(III) WHICH LAW ENFORCEMENT AGENCY THE INDIVIDUAL IS ACTING ON BEHALF OF; AND

(IV) A STATEMENT BY THE INDIVIDUAL, UNDER PENALTY OF PERJURY, THAT THE INDIVIDUAL IS ACCESSING THE DATABASE FOR A LEGITIMATE LAW ENFORCEMENT PURPOSE.

(C) IF AN INDIVIDUAL IS ACCESSING A DATABASE FOR THE PURPOSE OF ENFORCING CIVIL IMMIGRATION LAW, THE ENTITY OPERATING THE DATABASE SHALL DENY THE INDIVIDUAL ACCESS TO THE DATABASE UNLESS THE ENTITY IS PROVIDED WITH A VALID WARRANT ISSUED BY A FEDERAL COURT OR A COURT OF THIS STATE."