

SB0178/173228/1

BY: Delegate Cox

AMENDMENTS TO SENATE BILL 178, AS AMENDED

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in line 19 of Amendment No. 1, after “interest;” insert “requiring a person who obtains a certain record to sign a certain statement that prohibits the person from disclosing the record to a third party; providing that a person who violates a certain provision of this Act is guilty of a misdemeanor and on conviction is subject to certain penalties;”.

On page 3 of the House Judiciary Committee Amendments, in line 6 of Amendment No. 1, strike the second “and”; and in the same line, after “4-351” insert “, and 4-402”.

AMENDMENT NO. 2

On page 16 of the House Judiciary Committee Amendments, after line 4 of Amendment No. 3, insert:

**“(F) (1) A PERSON WHO OBTAINS A RECORD DESCRIBED UNDER SUBSECTION (A)(4) OF THIS SECTION SHALL SIGN A STATEMENT UNDER PENALTY OF PERJURY STATING THAT THE PERSON WILL NOT RELEASE THE RECORD TO A THIRD PARTY.**

**(2) IN ADDITION TO THE PENALTY ESTABLISHED IN § 4-402(B) OF THIS TITLE, A PERSON WHO RELEASES A RECORD TO A THIRD PARTY IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO THE PENALTY UNDER § 4-402(C) OF THIS TITLE.**

4-402.

(a) A person may not:

(Over)

- (1) willfully or knowingly violate any provision of this title;
- (2) fail to petition a court after temporarily denying inspection of a public record; or
- (3) by false pretenses, bribery, or theft, gain access to or obtain a copy of a personal record if disclosure of the personal record to the person is prohibited by this title.

(b) A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

**(C) A PERSON WHO RELEASES A RECORD IN VIOLATION OF § 4-351(F)(1) OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS AND A FINE NOT EXCEEDING \$5,000.”.**