

CHAPTER 83

(House Bill 689)

AN ACT concerning

Access to Public Records – Permissible Denials – Public Institutions of Higher Education

FOR the purpose of authorizing a custodian ~~to deny certain inspections of a part~~ of a certain record kept by a public institution of higher education that contains certain personal information relating to certain individuals ~~that contains certain information~~ to require that certain requests be in writing and to deny certain inspections under certain circumstances; defining ~~a certain term~~ terms; and generally relating to records kept by public institutions of higher education.

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–611(f)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Government

Section 10–618(m)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

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

Article – State Government

10–611.

(f) (1) ["Personal information"] EXCEPT AS OTHERWISE PROVIDED IN THIS PART III, "PERSONAL INFORMATION" means information that identifies an individual including an individual's address, driver's license number or any other identification number, medical or disability information, name, photograph or computer generated image, Social Security number, or telephone number.

(2) "Personal information" does not include an individual's driver's status, driving offenses, 5–digit zip code, or information on vehicular accidents.

10–618.

(M) (1) (I) IN THIS SUBSECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “~~DIRECTORY~~ DIRECTORY INFORMATION” HAS THE SAME MEANING AS PROVIDED IN 20 U.S.C. § 1232G.

(III) “PERSONAL INFORMATION” MEANS:

- 1. AN ADDRESS;**
- 2. A PHONE NUMBER;**
- 3. AN ELECTRONIC MAIL ADDRESS; OR**
- 4. DIRECTORY INFORMATION.**

(2) A CUSTODIAN ~~MAY DENY INSPECTION OF A PART~~ OF A RECORD KEPT BY A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT CONTAINS PERSONAL INFORMATION RELATING TO A STUDENT, FORMER STUDENT, OR APPLICANT ~~THAT CONTAINS THE FOLLOWING INFORMATION,~~ MAY:

(I) REQUIRE THAT A REQUEST TO INSPECT A RECORD CONTAINING PERSONAL INFORMATION BE MADE IN WRITING AND SENT BY FIRST-CLASS MAIL; AND

(II) IF THE INFORMATION IS REQUESTED FOR COMMERCIAL PURPOSES, DENY INSPECTION OF THE PART OF THE RECORD CONTAINING THE PERSONAL INFORMATION.

- ~~(I) AN ADDRESS;~~**
- ~~(II) A PHONE NUMBER;~~**
- ~~(III) AN EMAIL ADDRESS; OR~~**
- ~~(IV) DIRECTORY INFORMATION.~~**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, April 8, 2008.