

SENATE BILL 221

D1
HB 686/21 – JUD

3lr1711
CF 3lr1709

By: **Senator Smith (By Request – Maryland Judicial Conference)**

Introduced and read first time: January 23, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Court Officials – Public Disclosure of Personal Information**

3 FOR the purpose of authorizing a certain court official or an immediate family member of
4 the court official to make a written request to a person who discloses on the Internet
5 or through certain other means of publication certain personal information about the
6 court official or the immediate family member to remove the information; requiring
7 a person who receives a request under this Act to remove the information within a
8 certain period of time and prohibiting the person from subsequently disclosing
9 certain personal information; requiring that a custodian of records deny the
10 inspection of a part of a public record that contains the home address or telephone
11 number of certain current and former judges and prosecutors unless certain
12 permission has been given; and generally relating to the public disclosure of personal
13 information about judges and prosecutors and their immediate family members.

14 BY adding to

15 Article – Courts and Judicial Proceedings
16 Section 3–2301 and 3–2302 to be under the new subtitle “Subtitle 23. Court Officials
17 – Protected Information”
18 Annotated Code of Maryland
19 (2020 Replacement Volume and 2022 Supplement)

20 BY adding to

21 Article – General Provisions
22 Section 4–357
23 Annotated Code of Maryland
24 (2019 Replacement Volume and 2022 Supplement)

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

27 **Article – Courts and Judicial Proceedings**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 23. COURT OFFICIALS – PROTECTED INFORMATION.**

2 **3–2301.**

3 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
4 **INDICATED.**

5 **(B) “COURT OFFICIAL” MEANS:**

6 **(1) A CURRENT OR FORMER STATE OR FEDERAL JUDGE; OR**

7 **(2) A CURRENT OR FORMER STATE OR FEDERAL PROSECUTOR.**

8 **(C) “IMMEDIATE FAMILY MEMBER” MEANS A PARENT, SPOUSE, OR CHILD.**

9 **(D) “PERSONAL INFORMATION” MEANS A HOME ADDRESS OR TELEPHONE**
10 **NUMBER.**

11 **3–2302.**

12 **(A) (1) A COURT OFFICIAL OR THE IMMEDIATE FAMILY MEMBER OF A**
13 **COURT OFFICIAL WHOSE PERSONAL INFORMATION IS DISCLOSED ON THE**
14 **INTERNET, OR OTHERWISE MADE PUBLICLY AVAILABLE THROUGH OTHER MEANS OF**
15 **PUBLICATION OR POSTING, MAY REQUEST IN WRITING THAT THE PERSON WHO**
16 **MADE THE DISCLOSURE REMOVE THE PERSONAL INFORMATION AND REFRAIN FROM**
17 **ANY FUTURE DISCLOSURE OF PERSONAL INFORMATION ABOUT THE COURT**
18 **OFFICIAL OR AN IMMEDIATE FAMILY MEMBER OF THE COURT OFFICIAL.**

19 **(2) A REQUEST UNDER THIS SUBSECTION MAY BE MADE ON BEHALF**
20 **OF A MINOR BY A PARENT OR GUARDIAN OF THE MINOR.**

21 **(B) ON RECEIPT OF A WRITTEN REQUEST UNDER SUBSECTION (A) OF THIS**
22 **SECTION, THE PERSON WHO MADE THE DISCLOSURE:**

23 **(1) SHALL REMOVE THE PERSONAL INFORMATION WITHIN 72**
24 **HOURS; AND**

25 **(2) MAY NOT SUBSEQUENTLY DISCLOSE PERSONAL INFORMATION**
26 **ABOUT THE COURT OFFICIAL OR AN IMMEDIATE FAMILY MEMBER OF THE COURT**
27 **OFFICIAL.**

28 **(C) (1) A COURT OFFICIAL OR AN IMMEDIATE FAMILY MEMBER OF A**

1 COURT OFFICIAL MAY BRING AN ACTION FOR AN INJUNCTION AGAINST A PERSON
2 WHO VIOLATES THIS SECTION.

3 (2) A COURT OFFICIAL OR AN IMMEDIATE FAMILY MEMBER OF A
4 COURT OFFICIAL WHO IS INJURED BY A VIOLATION OF THIS SECTION MAY BRING AN
5 ACTION FOR DAMAGES AGAINST THE PERSON WHO COMMITTED THE VIOLATION.

6 Article – General Provisions

7 4-357.

8 UNLESS THE INDIVIDUAL TO WHOM A PUBLIC RECORD PERTAINS GIVES
9 PERMISSION FOR THE INSPECTION, A CUSTODIAN SHALL DENY INSPECTION OF THE
10 PART OF A PUBLIC RECORD THAT CONTAINS THE HOME ADDRESS OR TELEPHONE
11 NUMBER OF:

12 (1) A CURRENT OR FORMER STATE OR FEDERAL JUDGE; OR

13 (2) A CURRENT OR FORMER STATE OR FEDERAL PROSECUTOR.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2023.