

HOUSE BILL 262

E2

0lr1895

By: **Chair, Judiciary Committee (By Request – Departmental – Health)**

Introduced and read first time: January 20, 2020

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 25, 2020

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Examination of Defendant by Maryland Department of**
3 **Health – Access to Judicial Records**

4 FOR the purpose of requiring that the Maryland Department of Health have access to
5 certain information maintained by the Judiciary about a certain defendant;
6 requiring the Department and the Judiciary to enter into an agreement regarding
7 certain matters at a certain time; and generally relating to access to judicial records
8 by the Maryland Department of Health.

9 BY adding to
10 Article – Criminal Procedure
11 Section 3–124
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2019 Supplement)

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

16 **Article – Criminal Procedure**

17 **3–124.**

18 **(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE HEALTH**
19 **DEPARTMENT SHALL HAVE ACCESS TO INFORMATION MAINTAINED BY THE**
20 **JUDICIARY ABOUT A CRIMINAL DEFENDANT WHO IS:**

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) SUBJECT TO EXAMINATION UNDER THE PROVISIONS OF THIS TITLE;

(2) COMMITTED TO THE HEALTH DEPARTMENT UNDER THE PROVISIONS OF THIS TITLE; OR

(3) ON CONDITIONAL RELEASE UNDER THE PROVISIONS OF THIS TITLE.

(B) BEFORE EXCHANGING ANY INFORMATION IN ACCORDANCE WITH THIS SECTION, THE HEALTH DEPARTMENT AND THE JUDICIARY SHALL ENTER INTO AN AGREEMENT REGARDING:

(1) THE INDIVIDUALS WHO MAY HAVE ACCESS TO INFORMATION UNDER THIS SECTION;

(2) WHAT INFORMATION IS ACCESSIBLE TO THE INDIVIDUALS IN ITEM (1) OF THIS SUBSECTION; AND

(3) THE WAYS IN WHICH THE INFORMATION ACCESSED MAY BE USED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.