SB0905/693026/1

BY: Judicial Proceedings Committee

<u>AMENDMENTS TO SENATE BILL 905</u>
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "with" insert "<u>certain</u>"; and in line 5, after "order;" insert "<u>requiring the Maryland Judiciary to require an institution of higher education that has researchers reviewing certain court records to enter into an agreement that provides for the storage and handling of the records; establishing certain penalties;</u>".

AMENDMENT NO. 2

On page 3, in line 8, after "**EDUCATION**" insert "**<u>THAT HAVE ENTERED INTO AN AGREEMENT WITH THE MARYLAND JUDICIARY PROVIDING FOR THE CONFIDENTIALITY OF THE RECORD IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION</u>**";

after line 8, insert:

"**<u>(D)</u>   <u>(1)</u>   <u>THE MARYLAND JUDICIARY SHALL REQUIRE AN INSTITUTION OF HIGHER EDUCATION THAT HAS RESEARCHERS REVIEWING COURT RECORDS RELATING TO EXTREME RISK PROTECTIVE ORDERS TO ENTER INTO AN AGREEMENT THAT PROVIDES FOR THE STORAGE AND HANDLING OF THE RECORDS.</u>**

<u>(2)</u>   <u>THE AGREEMENT SHALL PROVIDE THAT:</u>

<u>(I)</u>   <u>EACH RECORD RELATING TO AN EXTREME RISK PROTECTIVE ORDER SHALL REMAIN IN THE CUSTODY OF THE INSTITUTION OF HIGHER EDUCATION RECEIVING THE RECORD;</u>

(II) EACH RECORD RELATING TO AN EXTREME RISK PROTECTIVE ORDER MAY BE USED ONLY FOR THE RESEARCH AND STUDY FOR WHICH IT WAS ASSEMBLED OR OBTAINED; AND

(III) A PERSON MAY NOT DISCLOSE A RECORD RELATING TO AN EXTREME RISK PROTECTIVE ORDER TO ANY PERSON WHO IS NOT ENGAGED IN THE RESEARCH OR STUDY PROJECT.

(3) THE AGREEMENT UNDER THIS SUBSECTION MAY NOT APPLY TO OR RESTRICT THE USE OR PUBLICATION OF ANY STATISTICS, INFORMATION, OR OTHER MATERIAL THAT SUMMARIZES OR REFERS TO RECORDS IN THE AGGREGATE, WITHOUT DISCLOSING THE IDENTITY OF ANY PERSON WHO IS THE SUBJECT OF THE RECORD.

(4) THE MARYLAND JUDICIARY, ON ITS OWN MOTION, MAY INSTITUTE AN INJUNCTION AND ANY OTHER APPROPRIATE REMEDY:

(I) FOR A VIOLATION OF THE AGREEMENT UNDER THIS SUBSECTION; AND

(II) TO PREVENT THE UNAUTHORIZED DISCLOSURE OF A RECORD RELATING TO AN EXTREME RISK PROTECTIVE ORDER BY ANY PERSON.";

and in lines 9 and 11, strike "(d)" and "(e)", respectively, and substitute "**(E)**" and "**(F)**", respectively.