

EXCEPT FOR A DISCLOSURE UNDER SUBSECTION (B)(5) OR (6) OF THIS SECTION, AN INMATE'S CASE RECORD MAY BE DISCLOSED ONLY IF THE MANAGING OFFICIAL OF THE CORRECTIONAL FACILITY:

- (1) APPROVES THE DISCLOSURE; AND
- (2) IS SATISFIED THAT:

(I) EACH APPLICABLE CONDITION SET FORTH IN SUBSECTION (B) OF THIS SECTION HAS BEEN MET;

(II) THE RECORD WILL BE USED SOLELY FOR THE LEGITIMATE PURPOSES OF THE PERSON OR GOVERNMENTAL UNIT THAT RECEIVES IT AND NOT FOR ANY IMPROPER OR UNAUTHORIZED PURPOSE; AND

(III) THE RECORD WILL NOT BE FURTHER DISSEMINATED TO A PERSON OR GOVERNMENTAL UNIT NOT AUTHORIZED TO RECEIVE IT.

(D) REGULATIONS.

THE COMMISSIONER SHALL ADOPT REGULATIONS IN ACCORDANCE WITH THIS SECTION TO ESTABLISH PROCEDURES THAT GOVERN THE DISCLOSURE OF AN INMATE'S CASE RECORD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 695(a), (b), and (c).

In subsection (a) of this section, the reference to "maintained" is substituted for the former reference to "prepared" for consistency with §§ 3-601(d), 3-603, 3-604(a), 3-606, and 3-607(a) of this subtitle.

Also in subsection (a) of this section, the reference to except "as otherwise provided in this subtitle" is substituted for the former limited reference to the exceptions revised in subsection (b) of this section to reflect the other exceptions found in this subtitle. See, e.g., §§ 3-604, 3-607, 3-608, and 3-609 of this subtitle.

In subsection (b)(7)(i) of this section, the reference to a State "unit" is substituted for the former reference to a State "department or agency" for consistency throughout this article. See General Revisor's Note to this article.

Also in subsection (b)(7)(i) of this section, the former reference to a "State" law enforcement agency is deleted as included in the reference to "any State unit".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (b)(7)(i) of this section allows disclosure of a case record to an employee of the Patuxent Institution only after the Division has received a written request for disclosure. The General Assembly may wish to amend subsection (b) of this section to allow disclosure of a case record to an employee of the Patuxent Institution without a written request.