

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two houses of the General Assembly, the same shall take effect from the date of its passage.

Approved May 21, 1973.

-----

CHAPTER 647

(House Bill 1547)

AN ACT to repeal Section 76(h) of Article 26 of the Annotated Code of Maryland (1966 Replacement Volume and 1972 Interim Supplement), title "Courts," subtitle "Juvenile Causes in Montgomery County,"; and to add a new Section 76A to this Article and subtitle, to follow immediately after Section 76 thereof; amending the laws concerning the court for juvenile causes in Montgomery County with particular respect to the confidentiality ~~[[and]]~~ sealing and destruction of the records of this court and with the ~~[[maintenance and inspection]]~~ confidentiality of police records.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 76(h) of Article 26 of the Annotated Code of Maryland (1966 Replacement Volume and 1972 Interim Supplement), title "Courts," subtitle "Juvenile Causes in Montgomery County," be and it is hereby repealed and that new Section 76A be and it is hereby added to this Article and subtitle, to follow immediately after Section 76 thereof and to read as follows:

76.

[(h) The court shall have authority to dispose of juvenile case records of the court after the child involved has reached 21 years of age and at least five years have elapsed from the date that the case was closed by order of said court.]

76A.

II(A)

(1) POLICE RECORDS CONCERNING A CHILD SHALL BE MAINTAINED SEPARATE FROM POLICE RECORDS OF ADULTS AND SHALL NOT BE OPEN TO PUBLIC INSPECTION OR THEIR CONTENTS DIVULGED TO THE PUBLIC.

(2) IF A CHARGE OF DELINQUENCY IS TRANSFERRED FOR CRIMINAL PROSECUTION, THEN ALL SUCH POLICE RECORDS MUST BE MADE AVAILABLE TO THE COURT TO WHICH THE CASE IS TO BE TRANSFERRED.

(3) INSPECTION OR SUBPOENA OF THE RECORDS SHALL NOT BE PERMITTED WITHOUT GOOD CAUSE SHOWN UPON ORDER OF A JUDGE IN THE COUNTY IN WHICH THE RECORDS ARE MAINTAINED.