

for destruction of records after the statutory period of retention expires.

Defined terms: "Birth" § 4-201
 "County" § 1-101 "Fetal death" § 4-201
 "County registrar" § 4-201 "Secretary" § 1-101

4-206. MARRIAGE, DIVORCE, AND ANNULMENT RECORDS.

(A) COLLECTION; PRESERVATION; INDEXING.

THE SECRETARY SHALL COLLECT, INDEX, AND SAFEGUARD THE MARRIAGE, DIVORCE, AND ANNULMENT RECORDS THAT CLERKS OF COURT FILE AS PROVIDED BY LAW.

(B) CHANGES IN RECORDS; DISCREPANCIES.

(1) THE SECRETARY MAY CHANGE A MARRIAGE, DIVORCE, OR ANNULMENT RECORD IN THE FILE OF THE DEPARTMENT ONLY IF A CLERK OF COURT SENDS, AS PROVIDED BY LAW, A CERTIFIED REPORT OF THE CHANGE.

(2) IF A DISCREPANCY EXISTS BETWEEN THE RECORD OF A CLERK OF COURT AND THE RECORD OF THE SECRETARY AS TO A MARRIAGE, DIVORCE, OR ANNULMENT, THE RECORD OF THE CLERK OF COURT SHALL BE CONSIDERED CORRECT.

(C) COPIES.

(1) A CLERK OF COURT MAY PROVIDE A CERTIFIED COPY OF A RECORD OF ANY MARRIAGE, DIVORCE, OR ANNULMENT IN ACCORDANCE WITH USUAL CUSTOM AND AS PROVIDED BY LAW.

(2) THE SECRETARY MAY NOT PROVIDE A CERTIFIED COPY OF ANY RECORD OF DIVORCE OR ANNULMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 14(b)(4).

Throughout this section, references to records sent "as provided by law" are substituted for the specific references to reports and other records sent "as provided in ... § 18 of Article 62", for brevity. Ch. ____, Acts of 1982, which enacted this article, also revised Article 62, § 18 of the Code to describe more accurately the records sent to the Secretary. See revisor's note to Article 62, § 18 of the Code.

Subsection (a) of this section is revised to require the Secretary to "safeguard" divorce and annulment records, since there appeared to be no intent to distinguish their treatment after collection and indexing from the treatment required for marriage records.