

(2) IN DETERMINING WHETHER TO ACCEPT OR REJECT THE IDENTITY THEFT PASSPORT, THE LAW ENFORCEMENT AGENCY OR CREDITOR MAY CONSIDER THE SURROUNDING CIRCUMSTANCES AND AVAILABLE INFORMATION REGARDING THE OFFENSE OF IDENTITY FRAUD AGAINST THE PERSON.

(G) AN APPLICATION FOR AN IDENTITY THEFT PASSPORT SUBMITTED UNDER THIS SECTION, INCLUDING ANY SUPPORTING DOCUMENTATION:

(1) IS NOT A PUBLIC RECORD; AND

(2) MAY NOT BE RELEASED EXCEPT TO A LAW ENFORCEMENT AGENCY IN THIS OR ANOTHER STATE.

(H) THE ATTORNEY GENERAL SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006, contingent on the appropriation of sufficient funds in the State budget for fiscal year 2008 for the Office of the Attorney General to perform the functions set forth in this Act, and if funds are not appropriated in the fiscal 2008 State budget to the Office of the Attorney General for the purpose of implementing this Act, this Act shall be null and void without the necessity of further action by the General Assembly.

Enacted May 26, 2006.

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**CHAPTER 608**

**(House Bill 1205)**

AN ACT concerning

**Legislative Community Initiatives Loan of 2004 - Montgomery County -  
Kensington Recreation Center**

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 to extend the date by which the County Executive and County Council of Montgomery County must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by  
Chapter 432 of the Acts of the General Assembly of 2004

Section 13(3)(i) Item (AM)

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