

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 76A, § 4(c) through (e), the second sentence of (a), and the fourth sentence and the second clause of the fifth sentence of (b).

In subsection (b) of this section, the reference to "search for ... and prepare it for inspection" is substituted for the former reference to a "search or preparation fee ... to respond to a request for information", for clarity.

Defined terms: "Applicant" § 5-101
 "Custodian" § 5-101 "Official custodian" § 5-101
 "Public record" § 5-101

5-113. ADMINISTRATIVE REVIEW.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY WHEN THE OFFICIAL CUSTODIAN TEMPORARILY DENIES INSPECTION UNDER § 5-110 OF THIS SUBTITLE.

(B) PERMITTED.

IF A UNIT IS SUBJECT TO TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, A PERSON OR GOVERNMENTAL UNIT MAY SEEK ADMINISTRATIVE REVIEW IN ACCORDANCE WITH THAT SUBTITLE OF A DECISION OF THE UNIT, UNDER THIS PART I OF THIS SUBTITLE, TO DENY INSPECTION OF ANY PART OF A PUBLIC RECORD.

(C) NOT REQUIRED.

A PERSON OR GOVERNMENTAL UNIT NEED NOT EXHAUST THE REMEDY UNDER THIS SECTION BEFORE FILING SUIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 76A, § 5(a), as it related to the inspection of a public record.

Defined terms: "Official custodian" § 5-101
 "Person" § 1-101 "Public record" § 5-101

5-114. JUDICIAL REVIEW.

(A) PETITION AUTHORIZED.

WHENEVER A PERSON OR GOVERNMENTAL UNIT IS DENIED INSPECTION OF A PUBLIC RECORD, THE PERSON OR GOVERNMENTAL UNIT MAY FILE A COMPLAINT WITH THE CIRCUIT COURT FOR THE COUNTY WHERE:

(1) THE COMPLAINANT RESIDES OR HAS A PRINCIPAL PLACE OF BUSINESS; OR