

generally relating to public on-line access to certain materials.

BY repealing and reenacting, with amendments,

Article - State Government

Section 7-206.2

Annotated Code of Maryland

(1995 Replacement Volume and 1998 Supplement)

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

Article - State Government

7-206.2.

(a) The Division may arrange for data bases derived from publications issued by the Division to be made available to the public for direct on-line searching by contracting with third-party or value-added resellers.

(b) Notwithstanding the provisions of subsection (a) of this section, the State Data Center shall charge for on-line access to the Maryland Information Retrieval System.

(c) This section may not be construed to require a State data center to provide a member of the public with direct on-line access or any other type of access to the computers or data bases of the State Data Center.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DIVISION SHALL MAKE AVAILABLE TO THE PUBLIC, AT NO COST, DIRECT ON-LINE SEARCHING OF:

(1) THE CODE OF MARYLAND REGULATIONS (COMAR);

(2) THE MARYLAND REGISTER; AND

(3) ANY OTHER MATERIAL THE DIVISION DETERMINES TO BE IN THE PUBLIC INTEREST.

(E) THE RECEIPT OF ANY MATERIAL MADE AVAILABLE TO THE PUBLIC UNDER THE TERMS OF SUBSECTION (D) OF THIS SECTION SHALL BE PRECEDED BY A LEGEND STATING THAT:

"THE INFORMATION YOU ARE ABOUT TO RECEIVE IS MADE AVAILABLE FOR PERSONAL USE ONLY. BY PROCEEDING BEYOND THIS POINT YOU AGREE THAT YOU WILL NOT USE THE INFORMATION FOR ANY PROHIBITED COMMERCIAL PURPOSE WHATSOEVER, AS DEFINED IN § 7-206.2(G) OF THE STATE GOVERNMENT ARTICLE, INCLUDING, BY WAY OF EXAMPLE AND NOT IN LIMITATION, THE DOWNLOADING OF THIS INFORMATION FOR USE RESALE IN ANY OTHER ELECTRONIC OR PRINTED FORM."

(F) THE LEGEND REFERENCED IN SUBSECTION (E) OF THIS SECTION SHALL BE PRESENTED TO THE RECIPIENT IN A MANNER THAT AFFORDS THE RECIPIENT AN OPPORTUNITY TO REFUSE TO ACCESS THE MATERIAL.