

5-315. COPIES OF REGULATIONS.

(A) DUTY OF COMMISSIONER.

THE COMMISSIONER SHALL KEEP IN THE OFFICE OF THE COMMISSIONER A SET OF THE CURRENT REGULATIONS ADOPTED TO CARRY OUT THIS TITLE.

(B) REQUEST FOR COPY.

(1) THE COMMISSIONER MAY SET A FEE FOR THE COST TO PREPARE AND MAIL A COPY OF THE CURRENT REGULATIONS.

(2) ON REQUEST AND PAYMENT OF THE FEE, IF ANY, THE COMMISSIONER SHALL SEND A PERSON A COPY OF THE CURRENT REGULATIONS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 31(k).

In subsection (a) of this section, the former duty to "compile" is deleted as included in the broader duty to "keep".

Also in subsection (a) of this section, the former phrase "on file" is deleted as surplusage.

Also in subsection (a) of this section, the former phrase "as a public record" is deleted as unnecessary since a regulation is a public record under SG § 10-611(f) and open to public inspection under Title 10, Subtitle 6, Part III of the State Government Article.

In subsection (b)(2) of this section, the phrases "[o]n payment of the fee, if any" are added to conform to subsection (b)(1) of this section.

Also in subsection (b)(2) of this section, the word "interested", which formerly modified "person", is deleted since the term "interested person" has a legal connotation that is not appropriate in this context.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that former Art. 89, § 31(k) was enacted before enactment of the then State Documents Law, by Ch. 600, Acts of 1974. Under the provisions of that Law now codified as SG § 10-115(a), a unit must have the written approval of the Joint Committee on Administrative, Executive, and Legislative Review to reset or reprint a regulation. Accordingly, in subsection (a) of this section, the former duty to "prepare copies" is deleted. Since, however, the Commissioner could make individual copies available by other means, the balance of former Art. 89, § 31(k) is retained in this section. Nonetheless, the Labor and Employment Article Review Committee suggests that the original purposes of former Art. 89, § 31(k) now may be met under the State Government Article. See also SG § 10-621 on the general provisions for fees for public records.