

HB0607/485160/3

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 607
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Afzali,”; in the same line, strike “Elliott,”; in the same line, strike “George,”; in the same line, strike “Hogan, Krebs,”; in the same line, strike “McDermott, McDonough,”; in the same line, strike “Schulz, Serafini, Smigiel, Stocksdale,”; in the same line, strike “Vitale,”; in the same line, strike “and Zucker” and substitute “Zucker, Ivey, Stukes, F. Turner, Walker, and A. Washington”; in line 2, after “Student” insert “Data”; in the same line, strike “and Cloud Computing”; in the same line, after “Act” insert “of 2014”; strike beginning with “authorizing” in line 3 down through “manner,” in line 8 and substitute “requiring the State Department of Education, on or before a certain date, to consult with certain experts on certain issues relating to student data privacy, establish certain parameters for using a certain software service, and develop certain sample contracts; requiring certain local education agencies to use a certain sample contract for certain contracts entered into on or after a certain date;”; in line 9, strike “State Superintendent of Schools” and substitute “Department”; strike beginning with “defining” in line 9 down through “terms,” in line 10; in line 10, after “Student” insert “Data”; in the same line, strike “and Cloud Computing”; and in the same line, after “Act” insert “of 2014”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 11 on page 1 through line 23 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, after line 23, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(Over)

(a) On or before December 31, 2014, the State Department of Education shall:

(1) Consult with experts in the field of children's privacy protection on best practices for protecting student data privacy if a local education agency decides to use a software service to host student data;

(2) Establish parameters for the appropriate manner in which a local education agency may use a software service to host student data;

(3) Develop, in consultation with industry experts, a sample contract, that includes a provision that student data may not be used for online behavioral advertising or marketing purposes, to be used by a local education agency if the local education agency decides to use a software service provider to process student data; and

(4) Once the sample contract is developed, provide each local education agency with the sample contract.

(b) Each local education agency shall use the sample contract developed by the Department under subsection (a)(3) and (4) of this section in contracts entered into with a software service provider on or after March 31, 2015.

(c) The Department shall adopt regulations to implement this section.”;

and in line 25, strike “October” and substitute “June”.