

# HOUSE BILL 1590

P1, D3

7lr3496

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By: **Delegate Frick**

Introduced and read first time: February 22, 2017

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Creation and Maintenance of Religious Registry –**  
3 **Prohibitions and Immunity for Refusal to Provide Information**

4 FOR the purpose of providing that an official of State government, local government, or a  
5 municipality is immune from certain liability for refusing to provide information to  
6 the federal government or another state that will be used for the creation or  
7 maintenance of a registry of individuals who belong to a specific religion or who hold  
8 specific religious beliefs; authorizing the State to indemnify a certain official for  
9 certain costs and judgments; prohibiting an officer or unit of State government from  
10 spending money from an appropriation to create or maintain a certain registry or to  
11 provide information to the federal government or another state that will be used in  
12 the creation or maintenance of a certain registry; prohibiting the State from  
13 reimbursing any expenditure to the extent that the expenditure violates a certain  
14 provision of this Act; providing that the State is not obligated to appropriate money  
15 to pay an expenditure that violates a certain provision of this Act; providing that  
16 each employee or member of a unit and each officer of the State government who  
17 makes a certain expenditure is guilty of neglect of official duty and is subject to  
18 removal; prohibiting a person that receives State funds from using the State funds  
19 to create or maintain a certain registry or to provide information to the federal  
20 government or another state that will be used in the creation or maintenance of a  
21 certain registry; and generally relating to prohibited activities and immunity for a  
22 refusal to provide information related to the creation and maintenance of a religious  
23 registry.

24 BY adding to  
25 Article – Courts and Judicial Proceedings  
26 Section 5–527  
27 Annotated Code of Maryland  
28 (2013 Replacement Volume and 2016 Supplement)

29 BY adding to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement  
2 Section 7–239 and 7–407  
3 Annotated Code of Maryland  
4 (2015 Replacement Volume and 2016 Supplement)

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

7 **Article – Courts and Judicial Proceedings**

8 **5–527.**

9 (A) AN OFFICIAL OF STATE GOVERNMENT, LOCAL GOVERNMENT, OR A  
10 MUNICIPALITY IS IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR REFUSING TO  
11 PROVIDE INFORMATION TO THE FEDERAL GOVERNMENT OR ANOTHER STATE THAT  
12 WILL BE USED FOR THE CREATION OR MAINTENANCE OF A REGISTRY OF  
13 INDIVIDUALS WHO BELONG TO A SPECIFIC RELIGION OR WHO HOLD SPECIFIC  
14 RELIGIOUS BELIEFS.

15 (B) THE STATE MAY INDEMNIFY AN OFFICIAL OF STATE GOVERNMENT,  
16 LOCAL GOVERNMENT, OR A MUNICIPALITY FOR ANY COSTS ASSOCIATED WITH OR  
17 ANY JUDGMENT IN AN ACTION OR SUIT FILED BASED ON THE OFFICIAL’S REFUSING  
18 TO PROVIDE INFORMATION TO THE FEDERAL GOVERNMENT OR ANOTHER STATE  
19 THAT WILL BE USED FOR THE CREATION OR MAINTENANCE OF A REGISTRY OF  
20 INDIVIDUALS WHO BELONG TO A SPECIFIC RELIGION OR WHO HOLD SPECIFIC  
21 RELIGIOUS BELIEFS.

22 **Article – State Finance and Procurement**

23 **7–239.**

24 (A) AN OFFICER OR UNIT OF STATE GOVERNMENT MAY NOT SPEND MONEY  
25 FROM AN APPROPRIATION TO:

26 (1) CREATE OR MAINTAIN A REGISTRY OF INDIVIDUALS WHO BELONG  
27 TO A SPECIFIC RELIGION OR WHO HOLD SPECIFIC RELIGIOUS BELIEFS; OR

28 (2) PROVIDE INFORMATION TO THE FEDERAL GOVERNMENT OR  
29 ANOTHER STATE THAT WILL BE USED IN THE CREATION OR MAINTENANCE OF A  
30 REGISTRY OF INDIVIDUALS WHO BELONG TO A SPECIFIC RELIGION OR WHO HOLD  
31 SPECIFIC RELIGIOUS BELIEFS.

32 (B) (1) THE STATE MAY NOT REIMBURSE ANY EXPENDITURE TO THE  
33 EXTENT THAT THE EXPENDITURE VIOLATES SUBSECTION (A) OF THIS SECTION.

1           **(2) THE STATE IS NOT OBLIGATED TO APPROPRIATE MONEY TO PAY**  
2 **AN EXPENDITURE THAT VIOLATES SUBSECTION (A) OF THIS SECTION.**

3           **(C) EACH EMPLOYEE OR MEMBER OF A UNIT AND EACH OFFICER OF THE**  
4 **STATE GOVERNMENT WHO MAKES AN EXPENDITURE THAT VIOLATES SUBSECTION**  
5 **(A) OF THIS SECTION IS GUILTY OF NEGLECT OF OFFICIAL DUTY AND IS SUBJECT TO**  
6 **REMOVAL.**

7 **7-407.**

8           **A PERSON THAT RECEIVES STATE FUNDS MAY NOT USE THE STATE FUNDS TO:**

9           **(1) CREATE OR MAINTAIN A REGISTRY OF INDIVIDUALS WHO BELONG**  
10 **TO A SPECIFIC RELIGION OR WHO HOLD SPECIFIC RELIGIOUS BELIEFS; OR**

11           **(2) PROVIDE INFORMATION TO THE FEDERAL GOVERNMENT OR**  
12 **ANOTHER STATE THAT WILL BE USED IN THE CREATION OR MAINTENANCE OF A**  
13 **REGISTRY OF INDIVIDUALS WHO BELONG TO A SPECIFIC RELIGION OR WHO HOLD**  
14 **SPECIFIC RELIGIOUS BELIEFS.**

15           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**  
16 **1, 2017.**