

**HB0633/670012/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 633

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Healey” and substitute “Delegate Healey, Chair, Environment and Transportation Committee (By Request – Departmental – Secretary of State), and Delegates Anderton, Beidle, Carr, Cassilly, Clark, Flanagan, Folden, Fraser–Hidalgo, Frush, Gilchrist, Holmes, Jacobs, Jalisi, Knotts, Lafferty, Lewis, McCray, McMillan, Otto, Robinson, Stein, and Wivell”; in line 4, strike the first “certain”; in line 7, strike “for all purposes”; in line 10, after the semicolon insert “requiring any person to accept a certain address of a participant in a certain address confidentiality program as the address of the participant; prohibiting a person from requiring a participant in a certain address confidentiality program to submit a certain other address except under certain circumstances; authorizing a financial institution to require a certain request made by a participant in a certain address confidentiality program to be in a certain form;”; in lines 15 and 16, strike “or any private entity”; in line 16, after the semicolon insert “prohibiting a person from knowingly and intentionally seeking and obtaining the actual address or telephone number of a participant in a certain address confidentiality program from any other person if the person has certain specific knowledge;”; in line 21, after the semicolon insert “authorizing the person to whom a certain consent is provided to require the consent to be in a certain form;”; and in line 24, after “program” insert “, or any agent of a program participant,”.

On page 2, in line 6, after “courts” insert “, in conjunction with the Administrative Office of the Courts,”; and in line 21, before “and” insert “providing that compliance with Maryland law in effect immediately preceding the effective date of this Act shall be deemed compliance with this Act until the effective date of certain regulations that the”

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Secretary of State is required to adopt under this Act; providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 4 in lines 11 and 12, and on page 17 in lines 14 and 15, in each instance, strike “**FOR ALL PURPOSES**”.

On page 7 in line 19, and on page 20 in line 20, in each instance, strike “subsection (c)” and substitute “**SUBSECTIONS (B) AND (D)**”.

On page 7 after line 22, and on page 20 after line 23, in each instance, insert:

**“(B) (1) (I) WHEN A PROGRAM PARTICIPANT PRESENTS THE ADDRESS DESIGNATED BY THE SECRETARY OF STATE TO ANY PERSON, THAT ADDRESS MUST BE ACCEPTED AS THE ADDRESS OF THE PROGRAM PARTICIPANT.**

**(II) A PERSON MAY NOT REQUIRE A PROGRAM PARTICIPANT TO SUBMIT ANY ADDRESS THAT COULD BE USED TO PHYSICALLY LOCATE THE PROGRAM PARTICIPANT EITHER AS A SUBSTITUTE OR IN ADDITION TO THE DESIGNATED ADDRESS, OR AS A CONDITION OF RECEIVING A SERVICE OR BENEFIT, UNLESS THE SERVICE OR BENEFIT WOULD BE IMPOSSIBLE TO PROVIDE WITHOUT KNOWLEDGE OF THE PROGRAM PARTICIPANT’S PHYSICAL LOCATION.**

**(2) A BANK, A CREDIT UNION, ANY OTHER DEPOSITORY INSTITUTION, OR ANY OTHER FINANCIAL INSTITUTION WITHIN THE MEANING OF § 1-101 OF THE FINANCIAL INSTITUTIONS ARTICLE MAY REQUIRE A REQUEST MADE UNDER SUBSECTION (A) OF THIS SECTION TO BE IN WRITING AND ON A FORM PRESCRIBED BY THE SECRETARY OF STATE IDENTIFYING AN INDIVIDUAL AS A PROGRAM PARTICIPANT.”**

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On page 7 in line 23, and on page 20 in line 24, in each instance, strike “(B)” and substitute “(C)”.

On page 7 in line 28, and on page 20 in line 29, in each instance, strike “(c)” and substitute “(D)”.

**AMENDMENT NO. 3**

On page 8 in line 31, and on page 22 in line 1, in each instance, after “(a)” insert “(1)”.

On page 9 in line 2, and on page 22 in line 3, in each instance, before “any” insert “OR”.

On page 9 in line 2, and on page 22 in line 3, in each instance, strike “, OR ANY PRIVATE ENTITY”.

On page 9 after line 3, and on page 22 after line 4, in each instance, insert:

**“(2) A PERSON MAY NOT KNOWINGLY AND INTENTIONALLY SEEK AND OBTAIN A PROGRAM PARTICIPANT’S ACTUAL ADDRESS OR TELEPHONE NUMBER FROM ANY OTHER PERSON IF, AT THE TIME OF OBTAINING THE INFORMATION, THE PERSON HAS SPECIFIC KNOWLEDGE THAT THE ACTUAL ADDRESS OR TELEPHONE NUMBER BELONGS TO A PROGRAM PARTICIPANT.”**

On page 9 in line 7, and on page 22 in line 8, in each instance, strike “official duties” and substitute “EMPLOYMENT”.

On page 9 in line 12, and on page 22 in line 13, in each instance, after “law” insert “, INCLUDING AS AUTHORIZED BY SUBSECTION (C) OF THIS SECTION.”.

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On page 9 in line 25, and on page 22 in line 26, in each instance, after “**(2)**” insert **“THE PERSON TO WHOM WRITTEN CONSENT IS PROVIDED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION:**

**(I) MAY REQUIRE THE CONSENT TO BE IN A PARTICULAR FORM ACCEPTABLE TO THE PERSON AND THE PROGRAM PARTICIPANT; AND**

**(II) SHALL LIMIT ANY DISCLOSURE TO ONLY THOSE DISCLOSURES THAT ARE NECESSARY FOR THE PURPOSE FOR WHICH THE CONSENT IS PROVIDED.**

**(3)**”.

**AMENDMENT NO. 4**

On page 9, in line 32, after “**(A)**” insert “**(1) IN THIS SECTION, “NOTICE” MEANS, FOR A PERSON DESCRIBED IN § 4-526(B)(2) OF THIS SUBTITLE, RECEIPT OF WRITTEN NOTIFICATION ON A FORM PRESCRIBED BY THE SECRETARY OF STATE IDENTIFYING AN INDIVIDUAL AS A PROGRAM PARTICIPANT.**

**(2) “NOTICE” INCLUDES RECEIPT OF WRITTEN NOTIFICATION ON A FORM PRESCRIBED BY THE SECRETARY OF STATE IDENTIFYING AN INDIVIDUAL AS A PROGRAM PARTICIPANT.**

**(B)**”.

On page 10 in line 3, and on page 23 in line 4, in each instance, strike “**(B)**” and substitute “**(C)**”.

On page 10 in line 6, and on page 23 in line 7, in each instance, strike “**(C)**” and substitute “**(D)**”.

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On page 10 in line 10, and on page 23 in line 11, in each instance, strike “**(B)(2)**” and substitute “**(C)(2)**”.

On page 22, in line 33, after “**(A)**” insert “**(1) IN THIS SECTION, “NOTICE” MEANS, FOR A PERSON DESCRIBED IN § 7-308(B)(2) OF THIS SUBTITLE, RECEIPT OF WRITTEN NOTIFICATION ON A FORM PRESCRIBED BY THE SECRETARY OF STATE IDENTIFYING AN INDIVIDUAL AS A PROGRAM PARTICIPANT.**”

**(2) “NOTICE” INCLUDES RECEIPT OF WRITTEN NOTIFICATION ON A FORM PRESCRIBED BY THE SECRETARY OF STATE IDENTIFYING AN INDIVIDUAL AS A PROGRAM PARTICIPANT.**

**(B)**”.

**AMENDMENT NO. 5**

On page 12, in line 11, after “**PARTICIPANT**” insert “**, OR ANY AGENT OF A PROGRAM PARTICIPANT,**”.

On page 13, in line 6, after “**RECORDATION**” insert “**DURING THE PERIOD OF TIME THAT THE PROGRAM PARTICIPANT HOLDS A RECORD INTEREST IN THE PROPERTY AND IS A PROGRAM PARTICIPANT**”.

On page 14, in line 15, after “**COURTS**” insert “**, IN CONJUNCTION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS,**”; and in line 27, strike “**INDIVIDUAL**” and substitute “**PERSON**”.

On page 15, in line 18, after “**USED**” insert “**AND DISCLOSED**”.

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On page 23, after line 14, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, until the effective date of the regulations that the Secretary of State is required to adopt under § 4–531 of the Family Law Article, § 3–120 of the Real Property Article, and § 7–313 of the State Government Article, as enacted under Section 2 of this Act, compliance with Maryland law in effect immediately preceding the effective date of this Act shall be deemed to be compliance with this Act.”;

in line 15, strike “3.” and substitute “4.”; and in line 16, strike “October 1, 2018” and substitute “January 1, 2019”.