

HOUSE BILL 57

G1

1lr0416

(PRE-FILED)

By: **Delegate Rosenberg**

Requested: July 15, 2020

Introduced and read first time: January 13, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Voters' Rights Protection Act of 2020**

3 FOR the purpose of prohibiting a local board of elections from making a covered change in
4 voting locations except under certain circumstances; requiring that an action for a
5 certain declaratory judgment be filed in a certain circuit court; requiring that certain
6 proceedings be conducted in accordance with the Maryland Rules; requiring that
7 certain determinations be based on certain evidence; authorizing a local board to
8 apply to a certain circuit court or the Attorney General for a waiver of certain
9 requirements if the local board determines an emergency exists; prohibiting certain
10 requirements from being waived or altered under certain provisions of law;
11 authorizing a certain circuit court or the Attorney General to grant a waiver of
12 certain requirements only under certain circumstances; requiring that a certain
13 court hear and determine a waiver request in a certain manner; requiring that a
14 certain appeal be taken directly to the Court of Appeals within a certain time period;
15 requiring the Court of Appeals to give certain priority to a certain appeal; requiring
16 a local board to attempt to contact a voter who failed to sign a paper absentee ballot
17 application and attempt to obtain the voter's signature for a certain purpose;
18 prohibiting a person from using a camera, a cellular telephone, or another device
19 capable of recording video to record voters as they approach or deposit ballots in a
20 ballot drop box except under certain circumstances; requiring that an absentee ballot
21 be considered timely if the ballot envelope is postmarked no later than the day after
22 election day; altering the circumstances under which a local board is required to
23 reject an absentee ballot; requiring a local board to attempt to contact a voter who
24 failed to sign the oath on the absentee ballot envelope and attempt to obtain the
25 voter's signature for a certain purpose; requiring a covered website to make
26 reasonable efforts to detect anonymous foreign political communications and certain
27 false statements regarding voting requirements that are disseminated through the
28 covered website; requiring a covered website to report certain information to the
29 State Board of Elections within a certain period of time; requiring the State Board
30 to take certain actions within a certain period of time after receiving a certain report

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 from a covered website; establishing certain requirements for certain information
2 disseminated by the State Board through social media; authorizing the State Board
3 to assess a certain civil penalty against a covered website if the covered website fails
4 to file a certain report; providing for the assessment of, distribution of, and liability
5 for the civil penalty; making conforming changes; defining certain terms; and
6 generally relating to election law.

7 BY adding to

8 Article – Election Law

9 Section 2–304, 9–310.1, and 13–405.3

10 Annotated Code of Maryland

11 (2017 Replacement Volume and 2020 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Election Law

14 Section 8–103, 9–305, and 11–302

15 Annotated Code of Maryland

16 (2017 Replacement Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Election Law**

20 **2–304.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(2) “COVERED CHANGE IN VOTING LOCATIONS” MEANS ANY CHANGE**
24 **THAT REDUCES, CONSOLIDATES, OR RELOCATES VOTING LOCATIONS IN ANY CENSUS**
25 **TRACT WITHIN WHICH ONE OR MORE RACIAL MINORITY GROUPS OR LANGUAGE**
26 **MINORITY GROUPS REPRESENT 20% OR MORE OF THE VOTING AGE POPULATION.**

27 **(3) “DISCRIMINATORY IMPACT” MEANS HAVING THE PURPOSE OR**
28 **THE EFFECT OF DENYING OR ABRIDGING THE RIGHT TO VOTE ON ACCOUNT OF RACE,**
29 **COLOR, OR MEMBERSHIP IN A LANGUAGE MINORITY GROUP.**

30 **(4) “VOTING LOCATIONS” INCLUDES EARLY VOTING CENTERS AND**
31 **ELECTION DAY POLLING PLACES.**

32 **(B) A LOCAL BOARD MAY NOT IMPLEMENT A COVERED CHANGE IN VOTING**
33 **LOCATIONS UNLESS:**

34 **(1) THE LOCAL BOARD HAS NOTIFIED AFFECTED VOTERS AND LOCAL**

1 CIVIL RIGHTS ADVOCACY ORGANIZATIONS OF THE COVERED CHANGE IN VOTING
2 LOCATIONS BY WHATEVER MEANS ARE MOST EFFECTIVE;

3 (2) THE LOCAL BOARD HAS HELD A PUBLIC HEARING AT WHICH
4 AFFECTED VOTERS, LOCAL CIVIL RIGHTS ADVOCACY ORGANIZATIONS, AND ANY
5 OTHER INTERESTED PERSONS ARE INVITED TO TESTIFY ON THE COVERED CHANGE
6 IN VOTING LOCATIONS;

7 (3) THE COUNTY LEGISLATIVE BODY HAS PASSED A RESOLUTION
8 APPROVING OF THE COVERED CHANGE IN VOTING LOCATIONS;

9 (4) THE STATE BOARD HAS CONTRACTED WITH ANOTHER ENTITY TO
10 COMPLETE A THOROUGH AND INDEPENDENT ANALYSIS OF THE COVERED CHANGE
11 IN VOTING LOCATIONS AND THE ANALYSIS DEMONSTRATED THAT THE COVERED
12 CHANGE IN VOTING LOCATIONS WILL NOT HAVE A DISCRIMINATORY IMPACT; AND

13 (5) THE LOCAL BOARD OBTAINS:

14 (I) A DECLARATORY JUDGMENT FROM A COURT THAT THE
15 COVERED CHANGE IN VOTING LOCATIONS WILL NOT HAVE A DISCRIMINATORY
16 IMPACT; OR

17 (II) WRITTEN CERTIFICATION FROM THE ATTORNEY GENERAL
18 THAT THE COVERED CHANGE IN VOTING LOCATIONS WILL NOT HAVE A
19 DISCRIMINATORY IMPACT.

20 (C) (1) IF A LOCAL BOARD SEEKS A DECLARATORY JUDGMENT UNDER
21 SUBSECTION (B)(5)(I) OF THIS SECTION, THE ACTION SHALL BE FILED IN THE
22 CIRCUIT COURT FOR THE COUNTY IN WHICH THE LOCAL BOARD IS LOCATED.

23 (2) THE PROCEEDING SHALL BE CONDUCTED IN ACCORDANCE WITH
24 THE MARYLAND RULES.

25 (3) A DETERMINATION OF THE CIRCUIT COURT SHALL BE BASED ON
26 CLEAR AND CONVINCING EVIDENCE.

27 (D) (1) IF A LOCAL BOARD DETERMINES THAT AN EMERGENCY EXISTS,
28 THE LOCAL BOARD MAY APPLY TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH
29 THE LOCAL BOARD IS LOCATED OR THE ATTORNEY GENERAL FOR A WAIVER OF ONE
30 OR MORE OF THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.

31 (2) THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION MAY
32 NOT BE WAIVED OR ALTERED UNDER § 8-103 OF THIS ARTICLE.

1 **(3) THE CIRCUIT COURT OR THE ATTORNEY GENERAL MAY GRANT A**
2 **WAIVER UNDER THIS SUBSECTION ONLY IF THE CIRCUIT COURT OR THE ATTORNEY**
3 **GENERAL DETERMINES THAT COMPLIANCE WITH ONE OR MORE OF THE**
4 **REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION IS IMPOSSIBLE OR**
5 **UNREASONABLE DUE TO EXTRAORDINARY CIRCUMSTANCES.**

6 **(4) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A COURT**
7 **PROCEEDING UNDER THIS SUBSECTION SHALL BE CONDUCTED IN ACCORDANCE**
8 **WITH THE MARYLAND RULES.**

9 **(5) THE CIRCUIT COURT SHALL HEAR AND DETERMINE A WAIVER**
10 **REQUEST UNDER THIS SUBSECTION AS EXPEDITIOUSLY AS THE CIRCUMSTANCES**
11 **REQUIRE.**

12 **(6) A DETERMINATION OF THE CIRCUIT COURT SHALL BE BASED ON**
13 **CLEAR AND CONVINCING EVIDENCE.**

14 **(7) AN APPEAL OF A DECISION OF THE CIRCUIT COURT UNDER THIS**
15 **SUBSECTION SHALL BE TAKEN DIRECTLY TO THE COURT OF APPEALS WITHIN 5**
16 **DAYS AFTER THE DECISION.**

17 **(8) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND**
18 **DECIDE AN APPEAL BROUGHT UNDER THIS SUBSECTION AS EXPEDITIOUSLY AS THE**
19 **CIRCUMSTANCES REQUIRE.**

20 8–103.

21 (a) **[In] EXCEPT AS PROVIDED IN § 2–304(D)(2) OF THIS ARTICLE, IN the**
22 **event of a state of emergency, declared by the Governor in accordance with the provisions**
23 **of law, that interferes with the electoral process, the emergency proclamation may:**

24 (1) provide for the postponement, until a specific date, of the election in
25 part or all of the State;

26 (2) specify alternate voting locations; or

27 (3) specify alternate voting systems.

28 (b) (1) **[If] EXCEPT AS PROVIDED IN § 2–304(D)(2) OF THIS ARTICLE, IF**
29 **emergency circumstances, not constituting a declared state of emergency, interfere with**
30 **the electoral process, the State Board or a local board, after conferring with the State Board,**
31 **may petition a circuit court to take any action the court considers necessary to provide a**
32 **remedy that is in the public interest and protects the integrity of the electoral process.**

1 (2) The State Board shall develop guidelines concerning methods for
2 addressing possible emergency situations.

3 9–305.

4 (a) A voter may request an absentee ballot by completing and submitting:

5 (1) the State Board approved absentee ballot application;

6 (2) a form provided under federal law;

7 (3) subject to subsection (b) of this section, a written request that includes:

8 (i) the voter’s name, residence address, and signature; and

9 (ii) the address to which the ballot is to be mailed, if different from
10 the residence address; or

11 (4) the accessible online absentee ballot application provided by the State
12 Board.

13 (b) A voter who uses the online absentee ballot application to request that an
14 absentee ballot be sent by any method or who uses any method to request to receive a blank
15 absentee ballot through the Internet shall provide the following information:

16 (1) a Maryland driver’s license number or Maryland identification card
17 number, the last four digits of the applicant’s Social Security number, and other
18 information identified by the State Board that is not generally available to the public but
19 is readily available to the applicant; or

20 (2) if the applicant is an absent uniformed services voter or overseas voter
21 as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act or a voter
22 with a disability and does not have a Maryland driver’s license or Maryland identification
23 card, the last four digits of the applicant’s Social Security number.

24 (c) An application for an absentee ballot must be received by a local board:

25 (1) if the voter requests the absentee ballot be sent by mail or facsimile
26 transmission, not later than the Tuesday preceding the election, at the time specified in the
27 guidelines;

28 (2) if the voter requests the absentee ballot be sent by the Internet, not
29 later than the Friday preceding the election, at the time specified in the guidelines; or

30 (3) if the voter or the voter’s duly authorized agent applies for an absentee
31 ballot in person at the local board office, not later than the closing of the polls on election
32 day.

1 **(D) A LOCAL BOARD SHALL ATTEMPT TO CONTACT A VOTER WHO FAILED TO**
2 **SIGN A PAPER ABSENTEE BALLOT APPLICATION AND ATTEMPT TO OBTAIN THE**
3 **VOTER'S SIGNATURE SO THAT THE ABSENTEE BALLOT REQUEST MAY BE PROCESSED**
4 **IN A TIMELY MANNER.**

5 **9-310.1.**

6 **(A) IN THIS SECTION, "BALLOT DROP BOX" MEANS A SECURE, DURABLE,**
7 **OUTDOOR CONTAINER THAT IS OFFICIALLY DESIGNATED BY A LOCAL BOARD**
8 **EXCLUSIVELY FOR VOTERS TO DEPOSIT COMPLETED ABSENTEE BALLOTS IN**
9 **PERSON.**

10 **(B) A PERSON MAY NOT USE A CAMERA, A CELLULAR TELEPHONE, OR**
11 **ANOTHER DEVICE CAPABLE OF RECORDING VIDEO TO RECORD VOTERS AS THEY**
12 **APPROACH OR DEPOSIT BALLOTS IN A BALLOT DROP BOX UNLESS THE PERSON IS**
13 **ENGAGED IN SURVEILLANCE OF THE BALLOT DROP BOX THAT IS OFFICIALLY**
14 **APPROVED BY A LOCAL BOARD TO ENSURE THE SECURITY OF THE BALLOT DROP**
15 **BOX.**

16 **11-302.**

17 (a) Following an election, each local board shall meet at its designated counting
18 center to canvass the absentee ballots cast in that election in accordance with the
19 regulations and guidelines established by the State Board.

20 (b) (1) A local board may not open any envelope of an absentee ballot prior to
21 8 a.m. on the Wednesday following election day.

22 (2) A local board may not delay the commencement of the canvass to await
23 the receipt of late-arriving, timely absentee ballots.

24 (c) (1) **[An] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**
25 **absentee ballot shall be deemed timely received if it is received in accordance with the**
26 **regulations and guidelines established by the State Board.**

27 **(2) AN ABSENTEE BALLOT SHALL BE CONSIDERED TIMELY IF THE**
28 **BALLOT ENVELOPE IS POSTMARKED NO LATER THAN THE DAY AFTER ELECTION**
29 **DAY.**

30 **[(2)] (3)** An absentee ballot that is received after the deadline specified by
31 the regulations and guidelines may not be counted.

32 (d) (1) The State Board shall adopt regulations that reflect the policy that the
33 clarity of the intent of the voter is the overriding consideration in determining the validity

1 of an absentee ballot or the vote cast in a particular contest.

2 (2) A local board may not reject an absentee ballot except by unanimous
3 vote and in accordance with regulations of the State Board.

4 (3) The local board shall reject an absentee ballot if:

5 (i) the voter failed to sign the oath on the ballot envelope AND
6 **FAILED TO CORRECT THE OMISSION BEFORE THE CONCLUSION OF THE CANVASS;**

7 (ii) the local board received more than one ballot from the same
8 individual for the same election in the same ballot envelope; or

9 (iii) the local board determines that an absentee ballot is
10 intentionally marked with an identifying mark that is clearly evident and placed on the
11 ballot for the purpose of identifying the ballot.

12 **(4) A LOCAL BOARD SHALL ATTEMPT TO CONTACT A VOTER WHO**
13 **FAILED TO SIGN THE OATH ON THE BALLOT ENVELOPE AND OBTAIN THE VOTER'S**
14 **SIGNATURE BEFORE THE CONCLUSION OF THE CANVASS SO THAT THE BALLOT MAY**
15 **BE COUNTED.**

16 **[(4)] (5)** If the local board receives more than one legally sufficient ballot,
17 in separate envelopes, from the same individual, the local board shall:

18 (i) count only the ballot with the latest properly signed oath; and

19 (ii) reject any other ballot.

20 **[(5)] (6)** If the intent of the voter is not clearly demonstrated, the local
21 board shall reject only the vote for that office or question.

22 **[(6)] (7)** If an absentee voter casts a vote for an individual who has ceased
23 to be a candidate, the vote for that candidate may not be counted, but that vote does not
24 invalidate the remainder of the ballot.

25 (e) At the end of each day of canvassing, a local board shall prepare and release
26 a report of the unofficial results of the absentee ballot vote tabulation.

27 **13-405.3.**

28 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
29 **INDICATED.**

30 **(2) "AGENT OF A FOREIGN PRINCIPAL" HAS THE MEANING STATED IN**
31 **22 U.S.C. § 611(C).**

1 **(3) “ANONYMOUS FOREIGN POLITICAL COMMUNICATION” MEANS**
2 **ANY COMMUNICATION DISSEMINATED OR ATTEMPTED TO BE DISSEMINATED BY A**
3 **FOREIGN PRINCIPAL OR AN AGENT OF A FOREIGN PRINCIPAL THROUGH AN ONLINE**
4 **PLATFORM FOR A FEE OR FREE OF CHARGE THAT:**

5 **(I) DOES NOT INCLUDE A CLEAR AND CONSPICUOUS**
6 **DISCLOSURE ON THE FACE OF THE COMMUNICATION OF THE IDENTITY OF THE**
7 **FOREIGN PRINCIPAL THAT DISSEMINATED THE COMMUNICATION OR THE FOREIGN**
8 **PRINCIPAL ON WHOSE BEHALF THE COMMUNICATION IS DISSEMINATED;**

9 **(II) IS DISSEMINATED TO 500 OR MORE INDIVIDUALS IN THE**
10 **STATE; AND**

11 **(III) THE FOREIGN PRINCIPAL OR AGENT OF A FOREIGN**
12 **PRINCIPAL THAT DISSEMINATES THE COMMUNICATION INTENDS TO INFLUENCE IN**
13 **ANY WAY:**

14 **1. AN ELECTION FOR STATE OR LOCAL OFFICE;**

15 **2. A STATE OR LOCAL AGENCY OR OFFICIAL IN THE**
16 **EXERCISE OF THE OFFICIAL DUTIES OF THE AGENCY OR OFFICIAL; OR**

17 **3. PUBLIC OPINION IN THE STATE REGARDING ANY**
18 **STATE OR LOCAL POLICY ISSUE.**

19 **(4) (I) “COVERED WEBSITE” MEANS AN ONLINE SOCIAL NETWORK**
20 **OR SEARCH ENGINE THAT HAS 50,000,000 OR MORE UNIQUE MONTHLY UNITED**
21 **STATES VISITORS OR USERS FOR A MAJORITY OF MONTHS DURING THE**
22 **IMMEDIATELY PRECEDING 12 MONTHS.**

23 **(II) “COVERED WEBSITE” DOES NOT INCLUDE A WEBSITE THAT**
24 **IS:**

25 **1. OWNED AND OPERATED BY A BROADCASTING**
26 **STATION, INCLUDING A CABLE TELEVISION OPERATOR, PROGRAMMER, OR**
27 **PRODUCER, SATELLITE TELEVISION OR RADIO PROVIDER, NEWSPAPER, MAGAZINE,**
28 **OR OTHER PERIODICAL PUBLICATION; AND**

29 **2. USED PRIMARILY TO DISSEMINATE NEWS,**
30 **COMMENTARY, OR EDITORIAL CONTENT.**

31 **(5) “FOREIGN PRINCIPAL” HAS THE MEANING STATED IN 22 U.S.C. §**

1 **611(B).**

2 **(6) "VOTING REQUIREMENTS" MEANS:**

3 **(I) THE TIME, PLACE, OR MANNER OF HOLDING AN ELECTION;**

4 **OR**

5 **(II) THE QUALIFICATIONS FOR OR RESTRICTIONS ON VOTER**
6 **ELIGIBILITY FOR AN ELECTION, INCLUDING:**

7 **1. CRIMINAL PENALTIES ASSOCIATED WITH VOTING IN**
8 **AN ELECTION; AND**

9 **2. INFORMATION REGARDING A VOTER'S REGISTRATION**
10 **STATUS OR ELIGIBILITY TO VOTE.**

11 **(B) A COVERED WEBSITE SHALL MAKE REASONABLE EFFORTS TO DETECT**
12 **ANONYMOUS FOREIGN POLITICAL COMMUNICATIONS AND FALSE STATEMENTS**
13 **REGARDING VOTING REQUIREMENTS THAT ARE DISSEMINATED THROUGH THE**
14 **COVERED WEBSITE.**

15 **(C) WITHIN 48 HOURS AFTER A COVERED WEBSITE BECOMES AWARE OR**
16 **REASONABLY SHOULD HAVE BECOME AWARE THAT AN ANONYMOUS FOREIGN**
17 **POLITICAL COMMUNICATION OR A FALSE STATEMENT REGARDING VOTING**
18 **REQUIREMENTS WAS DISSEMINATED THROUGH THE COVERED WEBSITE, THE**
19 **COVERED WEBSITE SHALL REPORT THE FOLLOWING INFORMATION TO THE STATE**
20 **BOARD, IF KNOWN:**

21 **(1) THE IDENTITY OF THE FOREIGN PRINCIPAL OR OTHER PERSON**
22 **RESPONSIBLE FOR THE COMMUNICATION;**

23 **(2) THE DATES AND TIMES THAT THE COMMUNICATION WAS FIRST**
24 **DISSEMINATED AND LAST DISSEMINATED;**

25 **(3) A DIGITAL COPY OF THE CONTENT OF THE COMMUNICATION;**

26 **(4) AN APPROXIMATE DESCRIPTION OF THE GEOGRAPHIC LOCATIONS**
27 **TO WHICH THE COMMUNICATION WAS DISSEMINATED;**

28 **(5) AN APPROXIMATE DESCRIPTION OF THE AUDIENCE THAT**
29 **RECEIVED OR WAS TARGETED TO RECEIVE THE COMMUNICATION; AND**

30 **(6) THE TOTAL NUMBER OF IMPRESSIONS GENERATED BY THE**

1 COMMUNICATION.

2 (D) WITHIN 24 HOURS AFTER RECEIVING A REPORT UNDER SUBSECTION (C)
3 OF THIS SECTION, THE STATE BOARD SHALL:

4 (1) MAKE THE INFORMATION AVAILABLE ON THE STATE BOARD'S
5 WEBSITE;

6 (2) PROVIDE THE INFORMATION TO MEDIA OUTLETS IN THE STATE;
7 AND

8 (3) IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION, USE
9 SOCIAL MEDIA TO:

10 (I) NOTIFY THE PUBLIC OF THE FOREIGN ORIGIN OF THE
11 ANONYMOUS FOREIGN POLITICAL COMMUNICATION; OR

12 (II) COMMUNICATE TO THE PUBLIC ACCURATE INFORMATION
13 DESIGNED TO CORRECT THE FALSE STATEMENT REGARDING VOTING
14 REQUIREMENTS.

15 (E) INFORMATION COMMUNICATED BY THE STATE BOARD UNDER
16 SUBSECTION (D)(3) OF THIS SECTION:

17 (1) SHALL BE ACCURATE AND OBJECTIVE;

18 (2) SHALL CONSIST OF ONLY THE INFORMATION NECESSARY TO
19 NOTIFY THE PUBLIC OF THE FOREIGN ORIGIN OF THE ANONYMOUS FOREIGN
20 POLITICAL COMMUNICATION OR CORRECT THE FALSE STATEMENT REGARDING
21 VOTING REQUIREMENTS;

22 (3) SHALL, TO THE EXTENT PRACTICABLE, BE COMMUNICATED IN A
23 MANNER THAT THE STATE BOARD DETERMINES WILL REACH THE PERSONS WHO
24 RECEIVED THE ANONYMOUS FOREIGN POLITICAL COMMUNICATION OR FALSE
25 STATEMENT REGARDING VOTING REQUIREMENTS; AND

26 (4) MAY NOT BE DESIGNED TO FAVOR OR DISFAVOR ANY CANDIDATE,
27 ORGANIZATION, OR POLITICAL PARTY.

28 (F) (1) IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW, IF A
29 COVERED WEBSITE FAILS TO FILE A REPORT REQUIRED UNDER SUBSECTION (C) OF
30 THIS SECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY AGAINST THE
31 COVERED WEBSITE IN AN AMOUNT NOT EXCEEDING \$50,000.

1 **(2) A PENALTY UNDER THIS SUBSECTION SHALL BE:**

2 **(I) ASSESSED IN THE MANNER SPECIFIED IN § 13-604.1 OF THIS**
3 **TITLE;**

4 **(II) DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND**
5 **ESTABLISHED UNDER § 15-103 OF THIS ARTICLE; AND**

6 **(III) THE JOINT AND SEVERAL LIABILITY OF:**

7 **1. THE PERSON WHO OPERATES THE COVERED WEBSITE;**
8 **AND**

9 **2. ANY PERSON EXERCISING DIRECTION OR CONTROL**
10 **OVER THE ACTIVITIES OF THE PERSON WHO OPERATES THE COVERED WEBSITE.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2021.