

SENATE BILL 540

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5lr1870
CF HB 755

By: **Senators Charles, M. Washington, Muse, ~~and Ellis~~ Ellis, James, and Smith**

Introduced and read first time: January 23, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 7, 2025

CHAPTER _____

1 AN ACT concerning

2 **Common Ownership Communities – Recreational Common Areas – Sensitive**
3 **Information as Condition for Access**

4 FOR the purpose of prohibiting a cooperative housing corporation, condominium
5 association, or homeowners association from requiring certain sensitive information
6 of certain individuals as a condition for access to a shared recreational area; and
7 generally relating to recreational common areas of cooperative housing corporations,
8 condominiums, and homeowners associations.

9 BY adding to

10 Article – Corporations and Associations
11 Section 5–6B–23.2
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2024 Supplement)

14 BY adding to

15 Article – Real Property
16 Section 11–108.2 and 11B–111.11
17 Annotated Code of Maryland
18 (2023 Replacement Volume and 2024 Supplement)

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

21 **Article – Corporations and Associations**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **5-6B-23.2.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "COMMON AREA" MEANS ANY AREA IN A COOPERATIVE PROJECT
5 IN WHICH MEMBERS HAVE A POSSESSORY INTEREST IN COMMON.

6 (3) (I) "SENSITIVE INFORMATION" MEANS AN INDIVIDUAL'S:

7 1. SOCIAL SECURITY CARD OR SOCIAL SECURITY
8 NUMBER;

9 2. INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER;

10 3. BIRTH CERTIFICATE;

11 4. RACIAL OR ETHNIC ORIGIN;

12 5. NATIONAL ORIGIN;

13 6. CITIZENSHIP OR IMMIGRATION STATUS; OR

14 7. RELIGIOUS OR PHILOSOPHICAL BELIEFS.

15 (II) "SENSITIVE INFORMATION" DOES NOT INCLUDE AN
16 INDIVIDUAL'S GOVERNMENT-ISSUED PHOTO IDENTIFICATION, SUCH AS A DRIVER'S
17 LICENSE.

18 (B) A COOPERATIVE HOUSING CORPORATION MAY NOT REQUIRE A MEMBER
19 OR UNIT OCCUPANT, OR THE GUEST OR CHILD OF A MEMBER OR UNIT OCCUPANT,
20 TO PROVIDE SENSITIVE INFORMATION AS A CONDITION FOR ACCESSING OR USING A
21 RECREATIONAL COMMON AREA, SUCH AS A READING LOUNGE, GAME ROOM,
22 PLAYGROUND, OR SWIMMING POOL.

23 **Article - Real Property**

24 **11-108.2.**

25 (A) (1) IN THIS SECTION, "SENSITIVE INFORMATION" MEANS AN
26 INDIVIDUAL'S:

27 (I) SOCIAL SECURITY CARD OR SOCIAL SECURITY NUMBER;

1 (II) INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER;

2 (III) BIRTH CERTIFICATE;

3 (IV) RACIAL OR ETHNIC ORIGIN;

4 (V) NATIONAL ORIGIN;

5 (VI) CITIZENSHIP OR IMMIGRATION STATUS; OR

6 (VII) RELIGIOUS OR PHILOSOPHICAL BELIEFS.

7 (2) "SENSITIVE INFORMATION" DOES NOT INCLUDE AN INDIVIDUAL'S
8 GOVERNMENT-ISSUED PHOTO IDENTIFICATION, SUCH AS A DRIVER'S LICENSE.

9 (B) A CONDOMINIUM MAY NOT REQUIRE A UNIT OWNER OR OCCUPANT, OR
10 THE GUEST OR CHILD OF A UNIT OWNER OR OCCUPANT, TO PROVIDE SENSITIVE
11 INFORMATION AS A CONDITION FOR ACCESSING OR USING A RECREATIONAL
12 COMMON AREA, SUCH AS A READING LOUNGE, GAME ROOM, PLAYGROUND, OR
13 SWIMMING POOL.

14 11B-111.11.

15 (A) (1) IN THIS SECTION, "SENSITIVE INFORMATION" MEANS AN
16 INDIVIDUAL'S:

17 (I) SOCIAL SECURITY CARD OR SOCIAL SECURITY NUMBER;

18 (II) INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER;

19 (III) BIRTH CERTIFICATE;

20 (IV) RACIAL OR ETHNIC ORIGIN;

21 (V) NATIONAL ORIGIN;

22 (VI) CITIZENSHIP OR IMMIGRATION STATUS; OR

23 (VII) RELIGIOUS OR PHILOSOPHICAL BELIEFS.

24 (2) "SENSITIVE INFORMATION" DOES NOT INCLUDE AN INDIVIDUAL'S
25 GOVERNMENT-ISSUED PHOTO IDENTIFICATION, SUCH AS A DRIVER'S LICENSE.

26 (B) A HOMEOWNERS ASSOCIATION MAY NOT REQUIRE A LOT OWNER OR
27 OCCUPANT, OR THE GUEST OR CHILD OF A LOT OWNER OR OCCUPANT, TO PROVIDE

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1 SENSITIVE INFORMATION AS A CONDITION FOR ACCESSING OR USING A
2 RECREATIONAL COMMON AREA, SUCH AS A READING LOUNGE, GAME ROOM,
3 PLAYGROUND, OR SWIMMING POOL.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.