

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 718
Appropriations

(Delegate Stewart)

Education, Energy, and the Environment

Information Technology – State and Higher Education E-Mail – Requirements

This bill states that it is the policy of the State that email systems and resources for State and higher education employees are intended to support State business, as defined, and may not serve as a public forum. The bill also requires the Information Technology (IT) policies, plans, and standards in place for State agencies and institutes of higher education to include provisions protecting employee email services from spam email and other use that does not support State business, as specified. However, the policies, plans, and standards must permit incidental personal use of IT, including email, by State employees that has a *de minimis* impact on resources and is consistent with generally accepted professional business norms and expectations.

Fiscal Summary

State Effect: As the bill generally codifies existing practice, it is not anticipated to materially affect State operations or finances.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: “State business” means the furtherance of the State’s obligations (1) under the Maryland Constitution, Maryland Code, and Code of Maryland Regulations; (2) under the laws of the United States; and (3) by operation of contracts and similar obligations.

“Spam email” means unsolicited, phishing, solicitation, and bulk emails unrelated to State business. It does not include solicitation and bulk emails relating to State business, including bulk email from State vendors, partners, and exclusive representatives.

Current Law: The Department of Information Technology and the Secretary of Information Technology are responsible for, among other things, (1) developing, maintaining, revising, and enforcing IT policies, procedures, and standards; (2) providing technical assistance, advice, and recommendations to the Governor and any unit of State government concerning IT matters; and (3) developing and maintaining a statewide IT Master Plan, as specified. “IT” means all electronic information processing, including maintenance, telecommunications, hardware, software, and associated services.

Each unit of State government must develop and submit to the Secretary of Information Technology (1) IT policies and standards; (2) an IT plan; and (3) an annual project plan outlining the status of efforts to make information and services available to the public over the Internet. Additionally, the governing board of the public institutions of higher education must develop and submit IT policies and standards and an IT plan for their respective institutions or systems to the Secretary; generally, these policies, plans, and standards must be consistent with the master plan, as specified.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 629 (Senator Kramer) - Education, Energy, and the Environment.

Information Source(s): Department of Information Technology; Department of Budget and Management; Office of the Attorney General; Comptroller’s Office; Maryland State Department of Education; Maryland Higher Education Commission; University System of Maryland; Morgan State University; Maryland Department of Transportation; Department of Legislative Services

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Analysis by: Richard L. Duncan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510