

BRIAN E. FROSH
Attorney General

WILLIAM D. GRUHN
Chief

ELIZABETH F. HARRIS
Chief Deputy Attorney General



STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

WRITER'S DIRECT DIAL NO.

(410) 576-7296

February 22, 2022

TO: The Honorable Paul G. Pinsky, Chair
Education, Health, and Environmental Affairs Committee

FROM: Hanna Abrams, Assistant Attorney General

RE: Senate Bill 870– Baltimore City Youth Data Hub - Establishment –
SUPPORT WITH AMENDMENTS

The Office of the Attorney General supports, with amendments, Senate Bill 870 (“SB 870”), which establishes the Baltimore City Youth Data Hub (Hub) to improve equitable access to programs serving youth in Baltimore City.

The bill includes procedures to safeguard the security and confidentiality of data included in the Hub, but we recommend modifying the definition of “personally identifiable information.” Section 31-101(j) defines personally identifiable information as “any data that, either alone or in combination, would tend to associate or link a piece of information with a particular individual in a manner that would allow a reasonable person in the community to identify the particular individual.” Because the definition is limited to data which would “allow a reasonable person” to identify an individual, it might be interpreted to not include personal identifiers such as biometric information. Given that this program will be collecting personal information, it is critical that the definition of personally identifiable information be as broad as possible to ensure that any personal information collected is adequately protected. Because the program involves youth, we recommend modifying the definition to conform with the definition codified in the Family Educational Rights and Privacy Act (FERPA)¹ by adding the following language to the definition of personally identifiable information:

“Personally identifiable information includes, but is not limited to:

- (a) The individual’s name;
- (b) The name of the individual’s parent or other family members;
- (c) The address of the individual or individual’s family;

¹20 U.S.C. 1232g; CFR §99.3.

(d) A personal identifier, such as the individual's social security number, student number, or biometric record;

(e) Other indirect identifiers, such as the individual's date of birth, place of birth, and mother's maiden name; or

(f) any data that, either alone or in combination, would tend to associate or link a piece of information with a particular individual in a manner that would allow a reasonable person in the community to identify the particular individual.”

With this amendment, the Office of the Attorney General urges a favorable report.

Cc: Members, Education, Health, and Environmental Affairs
The Honorable Mary Washington