

HB 333: Election Law - Election Disinformation and Improper Influence Related to Voting: Please oppose this bill!!

Dear EEE Committee Chair Feldman, Vice Chair Kagan, and all other esteemed
Committee Members:

I am writing to urge you all to vote NO on this bill!!

I understand the intent behind this bill. I understand that with social media, etc., we must try to keep misinformation, or “disinformation”, from being communicated about elections and rendering “improper influence”.

However, I think this bill is NOT ready, as it is currently written. There are too many inadequacies of specifics in the wording of this bill.

For instance, I think that the definition of “Election Disinformation” is way too broad. It is not specific enough. The definition of “INCORRECT OR MISLEADING INFORMATION REGARDING THE TIME, PLACE, OR MANNER OF AN ELECTION, ELECTION RESULTS, OR VOTING RIGHTS IN THE STATE...” is too expansive and too vast to be truly useful. What does “incorrect or misleading information” really mean, exactly? Also, who decides if the information reported to the “portal” is “incorrect” or “misleading”? Is it the Members of the State Board of Elections itself? A special subcommittee or group that the State Board of Elections appoints? Who decides that?

Also, what does “PERIODIC REVIEW” mean? What is “periodic”? Does “periodic” mean every 6 months, every 3 months, monthly, what? “Periodic” is not specifically defined!!

What does “TO THE EXTENT NECESSARY, ISSUE CORRECTIVE INFORMATION OR REFER SUBMISSIONS TO THE STATE PROSECUTOR...” mean? What is the “necessary” extent? Again, who decides that? How does it meet whatever standard is “necessary” to be submitted to the State Prosecutor? We also have to take our First Amendment right to free speech into consideration!! How is whatever entity, be it the Maryland State Board of Elections or some appointed committee or group, going to decide what is “incorrect” or misleading” without violating a person’s First Amendment to freedom of speech? With this wording in the bill, a person that makes any comment on any part of any election can be construed to give “misleading” information. What if the person’s intent was NOT to be misleading?

As you can see, there are too many inconsistencies and lack of specifics in this bill to make it truly worth passing at this time. It is NOT worded sufficiently to accomplish what it was set forth to do, without violating the First Amendment Rights of freedom of speech.

That is why I am imploring you all to vote NO on this bill. Thank you.

Trudy Tibbals

A Very concerned Mother, Maryland Resident, and Maryland Voter