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Health and Government Operations
Committee

Chair

Health Occupations and
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Joint Committee on Administrative,
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Testimony of Delegate Samuel Rosenberg
Before the House Ways and Means Committee
In support of
House Bill 333

**Election Law- Election Disinformation on Large Social Media Platforms
and Influence Related to Voting**

Madame Chair and Members of the Committee:

We are all aware of the growing impact that disinformation is having on the political process.

This is not a new phenomenon.

Twenty years ago, flyers encouraged people to vote on a date two days after Election Day.

This committee passed a bill that made it a crime to knowingly use fraud or other means to influence a voter's decision whether to vote.

But the bad actors who seek to mislead voters have new technology at their command through social media.

House Bill 333, as amended, would deter this corruption of the electoral process while protecting First Amendment rights.

After the State Board of Elections becomes aware of election disinformation, it shall provide corrective information to a large social media platform. SBE would request that the disinformation be removed and notify the public of this incident on its "Voter Suppression Action Line." The public could also submit information to this portal for SBE to review and, if appropriate, act upon.

HB 333 would further help address common occurrences during elections, such as misleading robocalls and mailings, by adding to existing law a more comprehensive definition of “influence.” Using certain means to induce action or change the decision or act of another would be prohibited “regardless of the medium used.” This new definition strengthens the law and provides clarity for law enforcement and the courts when combatting voter suppression.

Fair and reliable elections are at the very heart of our democracy. Disinformation assaults that fundamental concept.

House Bill 333 would strengthen our protections against this unscrupulous behavior.

For all these reasons, I request a FAVORABLE report for HB 333.

February 6, 2024