

SB540 Women Legislators of Maryland

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WOMEN LEGISLATORS OF MARYLAND
THE MARYLAND GENERAL ASSEMBLY

February 12, 2025

To: Senator William C. Smith, Jr., Chair
Senator Jeff Waldstreicher, Vice Chair
Judicial Proceedings Committee

The Maryland Women's Caucus is proud to express our unanimous support for SB540: Common Ownership Communities – Recreational Common Areas – Sensitive Information as Condition for Access. This important legislation prohibits common ownership communities from requiring individuals to provide sensitive documents or personal information as a condition for accessing recreational common areas.

Women and families, particularly those in Maryland's diverse communities, rely on these shared spaces for recreation, relaxation, and social engagement. These recreational areas—such as pools, playgrounds, and community centers—serve as essential outlets for women and children to engage in healthy, active lifestyles, while fostering a sense of community. Unfortunately, the practice of requiring sensitive documents or personal information for access creates unnecessary barriers for families, particularly those who may already face challenges in managing personal data security or privacy concerns.

SB540 is a critical step toward ensuring that women and children, who often bear the responsibility of managing family affairs, are not unfairly burdened by invasive requirements in order to utilize common spaces. The bill acknowledges the importance of maintaining privacy and dignity while ensuring that recreational areas remain accessible to all members of the community.

This legislation is an essential measure to promote equity, privacy, and fairness for Maryland families. We believe SB540 will prevent unnecessary obstacles and help families continue to enjoy the community spaces they depend on for social well-being and quality of life.

We respectfully urge the **Judicial Proceedings Committee** to issue a **favorable report** for SB540. By supporting this legislation, we take an important step toward protecting the privacy of Maryland families, especially women and children, and ensuring that our shared recreational spaces remain open, welcoming, and accessible to all.

Thank you for your consideration and for your continued dedication to improving the lives of Marylanders.

sb 540 Support Letter.pdf

Uploaded by: Karen Straughn

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February 6, 2025

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Karen S. Straughn
Consumer Protection Division

Re: Senate Bill 540 – Common Ownership Communities – Recreational Common Areas – Sensitive Information as Condition for Access (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of Senate Bill 540 submitted by Senators Nick Charles, Mary Washington, C. Anthony Muse and Arthur Ellis. This bill would prohibit a common ownership community from requiring sensitive information to access recreational common areas.

As a member of a common ownership community, an owner's assessments usually include the necessary expenses to permit access to recreational areas. However, some associations are requiring sensitive information, like birth certificates, as a means of ensuring that those entering these recreational areas, like a pool, are members of the owner's family. While the intent is to ensure that the facilities are being used by those who pay the fees to maintain these facilities, the risk to family members outweighs this interest. A birth certificate reflects not only an individual's gender, but also an individual's adoptive status and possible immigration status. This information should not be required merely to go swimming or otherwise access recreational common areas.

Balancing the need for community management with individual privacy rights requires a delicate balance, but there can be no question that the sensitive information protected by this bill is not necessary to the proper running of a common ownership community association. Moreover, sharing of this information may be detrimental to owners and their families, particularly in the event of a data breach.

Finally, this bill also helps to protect the association. If the sensitive information obtained by the association is disclosed, whether purposefully or inadvertently, the association may be subject to lawsuits, impacting everyone in the association.

For these reasons, we ask that the Judicial Proceedings Committee return a favorable report on this bill.

cc: The Honorable Nick Charles
The Honorable Mary Washington
The Honorable C. Anthony Muse
The Honorable Arthur Ellis
Members, Judicial Proceedings Committee