

SENATE BILL 540

N1

(5lr1870)

ENROLLED BILL

— *Judicial Proceedings/Environment and Transportation* —

Introduced by **Senators Charles, M. Washington, Muse, ~~and Ellis~~ Ellis, James, and Smith**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Common Ownership Communities – Recreational Common Areas – Sensitive**
3 **Information as Condition for Access**

4 FOR the purpose of prohibiting a cooperative housing corporation, condominium
5 association, or homeowners association from requiring certain sensitive information
6 of certain individuals as a condition for access to a shared recreational area; and
7 generally relating to recreational common areas of cooperative housing corporations,
8 condominiums, and homeowners associations.

9 BY adding to
10 Article – Corporations and Associations
11 Section 5–6B–23.2
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



BY adding to
Article – Real Property
Section 11–108.2 and 11B–111.11
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Corporations and Associations

5–6B–23.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(2) “COMMON AREA” MEANS ANY AREA IN A COOPERATIVE PROJECT
IN WHICH MEMBERS HAVE A POSSESSORY INTEREST IN COMMON.

(3) (I) “SENSITIVE INFORMATION” MEANS AN INDIVIDUAL’S:

1. SOCIAL SECURITY CARD OR SOCIAL SECURITY
NUMBER;
2. INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER;
3. BIRTH CERTIFICATE;
4. RACIAL OR ETHNIC ORIGIN;
5. NATIONAL ORIGIN;
6. CITIZENSHIP OR IMMIGRATION STATUS; ~~OR~~
7. RELIGIOUS OR PHILOSOPHICAL BELIEFS; OR
8. MEDICAL RECORDS.

(II) “SENSITIVE INFORMATION” DOES NOT INCLUDE AN
INDIVIDUAL’S GOVERNMENT–ISSUED PHOTO IDENTIFICATION, SUCH AS A DRIVER’S
LICENSE.

(B) A COOPERATIVE HOUSING CORPORATION MAY NOT REQUIRE A MEMBER
OR UNIT OCCUPANT, OR THE GUEST OR CHILD OF A MEMBER OR UNIT OCCUPANT,

TO PROVIDE SENSITIVE INFORMATION AS A CONDITION FOR ACCESSING OR USING A RECREATIONAL COMMON AREA, SUCH AS A READING LOUNGE, GAME ROOM, PLAYGROUND, OR SWIMMING POOL.

Article – Real Property

11-108.2.

(A) (1) IN THIS SECTION, “SENSITIVE INFORMATION” MEANS AN INDIVIDUAL’S:

(I) SOCIAL SECURITY CARD OR SOCIAL SECURITY NUMBER;

(II) INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER;

(III) BIRTH CERTIFICATE;

(IV) RACIAL OR ETHNIC ORIGIN;

(V) NATIONAL ORIGIN;

(VI) CITIZENSHIP OR IMMIGRATION STATUS; ~~OR~~

(VII) RELIGIOUS OR PHILOSOPHICAL BELIEFS; OR

(VIII) MEDICAL RECORDS.

(2) “SENSITIVE INFORMATION” DOES NOT INCLUDE AN INDIVIDUAL’S GOVERNMENT-ISSUED PHOTO IDENTIFICATION, SUCH AS A DRIVER’S LICENSE.

(B) A CONDOMINIUM MAY NOT REQUIRE A UNIT OWNER OR OCCUPANT, OR THE GUEST OR CHILD OF A UNIT OWNER OR OCCUPANT, TO PROVIDE SENSITIVE INFORMATION AS A CONDITION FOR ACCESSING OR USING A RECREATIONAL COMMON AREA, SUCH AS A READING LOUNGE, GAME ROOM, PLAYGROUND, OR SWIMMING POOL.

11B-111.11.

(A) (1) IN THIS SECTION, “SENSITIVE INFORMATION” MEANS AN INDIVIDUAL’S:

(I) SOCIAL SECURITY CARD OR SOCIAL SECURITY NUMBER;

(II) INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER;

(III) BIRTH CERTIFICATE;

(IV) RACIAL OR ETHNIC ORIGIN;

(V) NATIONAL ORIGIN;

(VI) CITIZENSHIP OR IMMIGRATION STATUS; ~~OR~~

(VII) RELIGIOUS OR PHILOSOPHICAL BELIEFS; OR

(VIII) MEDICAL RECORDS.

(2) “SENSITIVE INFORMATION” DOES NOT INCLUDE AN INDIVIDUAL’S
GOVERNMENT–ISSUED PHOTO IDENTIFICATION, SUCH AS A DRIVER’S LICENSE.

(B) A HOMEOWNERS ASSOCIATION MAY NOT REQUIRE A LOT OWNER OR
OCCUPANT, OR THE GUEST OR CHILD OF A LOT OWNER OR OCCUPANT, TO PROVIDE
SENSITIVE INFORMATION AS A CONDITION FOR ACCESSING OR USING A
RECREATIONAL COMMON AREA, SUCH AS A READING LOUNGE, GAME ROOM,
PLAYGROUND, OR SWIMMING POOL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.