

HB0711/113120/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 711
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “from” insert “knowingly”; strike beginning with “if” in line 5 down through “enforcement” in line 6 and substitute “to a certain governmental unit that has engaged in or supported civil immigration enforcement under certain circumstances”; in line 15, after “for” insert “certain sensitive”; in lines 15 and 16, strike “containing certain sensitive attributes”; in line 19, strike “, (w), and (y)” and substitute “and (w)”; after line 21, insert:

“BY adding to

Article - Commercial Law

Section 14-4701(p-1)

Annotated Code of Maryland

(2025 Replacement Volume)”;

in line 24, after “(cc),” insert “and”; and in the same line, strike “and (hh) through (jj),”.

On pages 1 and 2, strike in their entirety the lines beginning with line 28 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, after line 24, insert:

“(P-1) “DIVISION” HAS THE MEANING STATED IN § 13-101 OF THIS ARTICLE.”.

On page 3, strike in their entirety lines 6 through 9, inclusive; in line 12, strike “PROCESSES THE INFORMATION IN ACCORDANCE” and substitute “COMPLIES”; in

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line 13, strike “PLACED ON THE INFORMATION BY” and substitute “THAT”; in the same line, after “ENTITY” insert “IMPOSES AS A CONDITION FOR PROVIDING THE INFORMATION TO THE PERSON”; in line 20, after “(gg)” insert “(1)”; in the same line, strike “ATTRIBUTE” MEANS”; in the same line, strike the brackets; in lines 21, 22, 23, 24, 25, 26, and 27, strike “(1)”, “(i)”, “(ii)”, “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively, and substitute “(I)”, “1.”, “2.”, “3.”, “4.”, “5.”, and “6.”, respectively.

On page 4, in lines 1, 2, 3, 4, and 6, strike “(vii)”, “(viii)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “7.”, “8.”, “(II)”, “(III)”, and “(IV)”, respectively; after line 6, insert:

“(2) “SENSITIVE DATA” INCLUDES DATA INFERRED BY A CONTROLLER BASED ON PERSONAL DATA THAT, ALONE OR IN COMBINATION WITH OTHER DATA, IS USED TO INDICATE ANY DATA DESCRIBED UNDER PARAGRAPH (1)(I) THROUGH (IV) OF THIS SUBSECTION.”;

and strike in their entirety lines 7 through 26, inclusive.

On page 5, strike beginning with “TO” in line 1 down through “with” in line 2 and substitute “AS REQUIRED BY”; in line 16, strike the brackets; strike beginning with the colon in line 16 down through “THE” in line 17; strike beginning with the semicolon in line 17 down through “ENFORCEMENT” in line 19; in line 20, after “(6)” insert “KNOWINGLY SELL THE PERSONAL DATA OF A CONSUMER TO A FEDERAL, STATE, OR LOCAL GOVERNMENTAL UNIT THAT, WITHIN THE 6 MONTHS THAT IMMEDIATELY PRECEDE THE SALE OF THE PERSONAL DATA, HAS ENGAGED IN OR SUPPORTED CIVIL IMMIGRATION ENFORCEMENT THROUGH THE PROVISION OF PERSONNEL OR MATERIAL RESOURCES.

(7);

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and in line 24, strike “(7)” and substitute “**(8)**”.

On page 6, in line 3, strike “(8)” and substitute “**(9)**”; in line 7, after “(a)” insert “**(1)**”; in lines 9, 10, 14, 17, 18, 19, 21, 22, 25, 28, and 29, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**(V)**”, “**(VI)**”, “**(VII)**”, “**(VIII)**”, “**(IX)**”, “**(X)**”, and “**(XI)**”, respectively; in line 10, strike “Comply” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COMPLY**”; in the same line, strike “inquiry, investigation,”; in line 11, strike the first comma; strike beginning with “, EXCEPT” in line 11 down through “ENFORCEMENT” in line 13; in line 14, strike “Cooperate” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COOPERATE**”; and after line 30, insert:

“(2) (I) THIS PARAGRAPH DOES NOT APPLY IF A CONTROLLER OR PROCESSOR IS PRESENTED WITH A VALID WARRANT ISSUED BY A FEDERAL OR STATE COURT THAT PARTICULARLY DESCRIBES THE PERSONAL DATA TO BE ACCESSED.

(II) PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY TO A CONTROLLER’S OR PROCESSOR’S COMPLIANCE WITH A SUBPOENA OR SUMMONS THAT IS DERIVED FROM A FEDERAL, STATE, OR LOCAL GOVERNMENTAL UNIT THAT, WITHIN THE 6 MONTHS THAT IMMEDIATELY PRECEDE THE ISSUANCE OF THE SUBPOENA OR SUMMONS, HAS ENGAGED IN OR SUPPORTED CIVIL IMMIGRATION ENFORCEMENT THROUGH THE PROVISION OF PERSONNEL OR MATERIAL RESOURCES.

(III) PARAGRAPH (1)(III) OF THIS SUBSECTION DOES NOT APPLY TO A CONTROLLER OR PROCESSOR THAT KNOWS THE LAW ENFORCEMENT AGENCY REQUESTING THE COOPERATION HAS, WITHIN THE 6 MONTHS THAT IMMEDIATELY PRECEDE THE REQUEST FOR COOPERATION, ENGAGED IN OR

(Over)

SUPPORTED CIVIL IMMIGRATION ENFORCEMENT THROUGH THE PROVISION OF PERSONNEL OR MATERIAL RESOURCES.

(IV) THE DIVISION MAY POST MATERIALS ON ITS WEBSITE TO PROVIDE CONSUMER EDUCATION AND OTHER RESOURCES REGARDING CIVIL IMMIGRATION ENFORCEMENT.

On page 8, in lines 7 and 14, in each instance, strike “**CLEARLY IDENTIFIES**” and substitute “**PARTICULARLY DESCRIBES**”.

On page 10, in line 16, strike “**ATTRIBUTE**” and substitute “**DATA**”; and in line 33, strike “geolocation” and substitute “**SENSITIVE**”.

On page 10 in lines 21, 27, and 28, and on page 11 in lines 1, 3, 9, and 12, in each instance, after the closing bracket insert “**SENSITIVE**”.

On page 10 in lines 21, 27, and 29, and on page 11 in lines 2, 9, and 12, in each instance, strike “**CONTAINING SENSITIVE ATTRIBUTES**”.

On page 11, in lines 3 and 4, strike “**CONTAINING SENSITIVE ATTRIBUTES**”.