

HOUSE BILL 1089

I3

6lr2873

By: **Delegates Wu and Fair**

Introduced and read first time: February 10, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Data Broker Registry – Establishment**

3 FOR the purpose of establishing a data broker registry; requiring certain data brokers to
4 register each year with the Office of the Attorney General; requiring a data broker
5 to report certain material changes to the Office of the Attorney General; requiring
6 the Office of the Attorney General to establish a certain publicly accessible,
7 searchable database; and generally relating to data brokers.

8 BY adding to

9 Article – Commercial Law

10 Section 14–1330

11 Annotated Code of Maryland

12 (2025 Replacement Volume)

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

15 **Article – Commercial Law**

16 **14–1330.**

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

19 **(2) (I) “DATA BROKER” MEANS A BUSINESS THAT KNOWINGLY**
20 **COLLECTS AND SELLS OR LICENSES PERSONAL CONSUMER DATA TO THIRD PARTIES**
21 **WITH WHOM THE CONSUMER DOES NOT HAVE A DIRECT RELATIONSHIP.**

22 **(II) “DATA BROKER” DOES NOT INCLUDE:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. A FINANCIAL INSTITUTION UNDER THE
2 GRAMM–LEACH–BLILEY ACT, PUBLIC LAW 106–102;

3 2. A COVERED HEALTH CARE ENTITY SUBJECT TO THE
4 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996;

5 3. A NONPROFIT ORGANIZATION;

6 4. A GOVERNMENTAL ENTITY; OR

7 5. A SERVICE PROVIDER THAT PROCESSES DATA SOLELY
8 ON BEHALF OF A CONTROLLER, AS DEFINED IN § 14–4701 OF THIS TITLE.

9 (3) “MATERIAL CHANGE” MEANS A SIGNIFICANT UPDATE IN HOW A
10 DATA BROKER COLLECTS, USES, SHARES, OR SELLS PERSONAL INFORMATION, OR A
11 TRANSITION FROM SELLING TO SHARING DATA.

12 (B) THE GENERAL ASSEMBLY FINDS THAT:

13 (1) PERSONAL DATA CONCERNING MARYLAND RESIDENTS IS
14 ROUTINELY COLLECTED, AGGREGATED, AND SOLD BY ENTITIES KNOWN AS DATA
15 BROKERS;

16 (2) MARYLAND RESIDENTS CURRENTLY LACK A CLEAR,
17 CENTRALIZED MEANS TO IDENTIFY DATA BROKERS OR UNDERSTAND DATA BROKER
18 PRACTICES; AND

19 (3) REGISTRATION AND TRANSPARENCY REQUIREMENTS ARE
20 NECESSARY TO PROTECT CONSUMERS, PREVENT FRAUD, AND MODERNIZE
21 CONSUMER PROTECTION LAW.

22 (C) THE PURPOSE OF THIS SECTION IS TO PROVIDE BASIC OVERSIGHT OF
23 DATA BROKER ACTIVITY BY THE STATE WITHOUT RESTRICTING LAWFUL
24 COMMERCE.

25 (D) ON OR BEFORE JANUARY 31 EACH YEAR, BEGINNING JANUARY 31,
26 2028, A DATA BROKER OPERATING IN THE STATE OR COLLECTING DATA ON THE
27 RESIDENTS OF THE STATE SHALL REGISTER WITH THE OFFICE OF THE ATTORNEY
28 GENERAL BY:

29 (1) SUBMITTING THE FOLLOWING ON A FORM AND IN A FORMAT
30 ESTABLISHED BY THE OFFICE OF THE ATTORNEY GENERAL:

1 (I) CATEGORIES OF PERSONAL DATA COLLECTED BY THE DATA
2 BROKER;

3 (II) SOURCES OF PERSONAL DATA COLLECTED;

4 (III) CATEGORIES OF THIRD PARTIES TO WHOM DATA IS SOLD OR
5 SHARED;

6 (IV) CONTACT INFORMATION THAT CONSUMERS MAY USE TO
7 MAKE INQUIRIES; AND

8 (V) OPT-OUT METHODS OFFERED TO CONSUMERS, IF ANY; AND

9 (2) PAYING A FEE IN AN AMOUNT DETERMINED BY THE OFFICE OF
10 THE ATTORNEY GENERAL.

11 (E) THE OFFICE OF THE ATTORNEY GENERAL SHALL ESTABLISH THE FEE
12 REQUIRED UNDER SUBSECTION (D)(2) OF THIS SECTION:

13 (1) IN AN AMOUNT SUFFICIENT TO PAY THE COSTS OF
14 ADMINISTERING THE REGISTRATION PROGRAM ESTABLISHED UNDER THIS
15 SECTION; AND

16 (2) AS A TIERED FEE STRUCTURE BASED ON THE ANNUAL REVENUE
17 OF A DATA BROKER.

18 (F) (1) A DATA BROKER SHALL REPORT TO THE OFFICE OF THE
19 ATTORNEY GENERAL ANY MATERIAL CHANGE IN THE BUSINESS PRACTICE OF THE
20 DATA BROKER DURING A REGISTRATION PERIOD.

21 (2) THE ATTORNEY GENERAL MAY NOT CHARGE A FEE FOR THE
22 REPORTING OF A MATERIAL CHANGE BY A DATA BROKER UNDER PARAGRAPH (1) OF
23 THIS SUBSECTION.

24 (G) (1) THE OFFICE OF THE ATTORNEY GENERAL SHALL DEVELOP AND
25 MAINTAIN A PUBLICLY ACCESSIBLE, SEARCHABLE DATABASE OF REGISTERED DATA
26 BROKERS ON THE WEBSITE OF THE OFFICE OF THE ATTORNEY GENERAL.

27 (2) THE DATABASE DESCRIBED UNDER PARAGRAPH (1) OF THIS
28 SUBSECTION:

29 (I) EXCEPT AS PROVIDED UNDER ITEM (II) OF THIS
30 PARAGRAPH, SHALL CONTAIN INFORMATION SUBMITTED TO THE OFFICE OF THE

1 **ATTORNEY GENERAL UNDER SUBSECTION (D) OF THIS SECTION; AND**

2 **(II) MAY NOT DISCLOSE ANY PROPRIETARY ALGORITHM OR**
3 **TRADE SECRET OF A DATA BROKER.**

4 **(H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A DATA**
5 **BROKER THAT FAILS TO REGISTER WITH AND DISCLOSE REQUIRED INFORMATION**
6 **TO THE OFFICE OF THE ATTORNEY GENERAL IN ACCORDANCE WITH THIS SECTION**
7 **IS SUBJECT TO A CIVIL FINE UP TO \$10,000 PER VIOLATION.**

8 **(2) (I) FOR A FIRST VIOLATION OF THIS SECTION, THE OFFICE OF**
9 **THE ATTORNEY GENERAL SHALL ISSUE NOTICE OF THE VIOLATION TO THE DATA**
10 **BROKER BEFORE INITIATING ANY ACTION UNDER THIS SUBSECTION.**

11 **(II) IF THE OFFICE OF THE ATTORNEY GENERAL ISSUES A**
12 **NOTICE OF THE VIOLATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE**
13 **DATA BROKER SHALL HAVE 6 MONTHS TO CURE THE VIOLATION AFTER RECEIPT OF**
14 **THE NOTICE.**

15 **(III) IF A DATA BROKER FAILS TO CURE A VIOLATION WITHIN THE**
16 **TIME PERIOD SPECIFIED IN A NOTICE UNDER SUBPARAGRAPH (II) OF THIS**
17 **PARAGRAPH, THE OFFICE OF THE ATTORNEY GENERAL MAY BRING AN**
18 **ENFORCEMENT ACTION UNDER THIS SUBSECTION.**

19 **(I) THIS SECTION MAY NOT BE CONSTRUED TO CREATE OR IMPLY A**
20 **PRIVATE CAUSE OF ACTION FOR A VIOLATION OF ITS PROVISIONS.**

21 **(J) THE OFFICE OF THE ATTORNEY GENERAL SHALL ADOPT REGULATIONS**
22 **TO CARRY OUT THIS SECTION.**

23 **SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31,**
24 **2029, the Office of the Attorney General shall report to the General Assembly, in accordance**
25 **with § 2-1257 of the State Government Article:**

26 **(1) the number of registered data brokers in the State;**

27 **(2) the level of compliance rates among data brokers;**

28 **(3) the number of consumer complaints regarding data brokers received by**
29 **the Office of the Attorney General; and**

30 **(4) recommendations by the Office of the Attorney General for future**
31 **legislation to strengthen consumer protection in the State relating to data brokers.**

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2026.