

SENATE BILL 107

E1

(PRE-FILED)

6lr1081

CF 6lr1082

By: **Senator Henson**

Requested: October 2, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Distribution of Students’ Personal Information – Prohibition**

3 FOR the purpose of prohibiting a person from distributing personal identifying information
4 or images of certain students under certain circumstances; and generally relating to
5 the distribution of student information.

6 BY adding to
7 Article – Criminal Law
8 Section 3–810
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2025 Supplement)

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

13 **Article – Criminal Law**

14 **3–810.**

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

17 **(2) (I) “DISTRIBUTE” MEANS TO GIVE, SELL, TRANSFER,**
18 **DISSEMINATE, PUBLISH, UPLOAD, CIRCULATE, BROADCAST, MAKE AVAILABLE,**
19 **ALLOW ACCESS TO, OR ENGAGE IN ANY OTHER FORM OF TRANSMISSION,**
20 **ELECTRONIC OR OTHERWISE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) “DISTRIBUTE” DOES NOT INCLUDE PUBLICATION OR DISSEMINATION FOR LEGITIMATE ACADEMIC, JOURNALISTIC, OR EXPRESSIVE PURPOSES PROTECTED UNDER THE FIRST AMENDMENT TO THE U.S. CONSTITUTION OR ARTICLE 40 OF THE MARYLAND DECLARATION OF RIGHTS.

(3) “HARM” MEANS:

(I) PHYSICAL INJURY;

(II) SERIOUS EMOTIONAL DISTRESS ARISING FROM TARGETED HARASSMENT OR THREATS; OR

(III) ECONOMIC DAMAGES.

(4) (I) “INSTITUTION OF POSTSECONDARY EDUCATION” HAS THE MEANING STATED IN § 10–101 OF THE EDUCATION ARTICLE.

(II) “INSTITUTION OF POSTSECONDARY EDUCATION” INCLUDES INSTITUTIONS OF HIGHER EDUCATION THAT AWARD DEGREES AT THE ASSOCIATE AND BACCALAUREATE LEVELS.

(5) “INSTITUTION OF SECONDARY EDUCATION” MEANS A SCHOOL OR ANY OTHER INSTITUTION THAT ENROLLS STUDENTS IN GRADES 6 THROUGH 12.

(6) “PERSONAL IDENTIFYING INFORMATION” INCLUDES A PERSON’S:

(I) NAME;

(II) ADDRESS;

(III) TELEPHONE NUMBER;

(IV) DRIVER’S LICENSE NUMBER;

(V) SOCIAL SECURITY NUMBER;

(VI) PLACE OF EMPLOYMENT;

(VII) EMPLOYEE IDENTIFICATION NUMBER;

(VIII) HEALTH INSURANCE IDENTIFICATION NUMBER;

(IX) MEDICAL IDENTIFICATION NUMBER;

(X) MOTHER'S MAIDEN NAME;

(XI) BANK OR OTHER FINANCIAL INSTITUTION ACCOUNT
NUMBER;

(XII) DATE OF BIRTH;

(XIII) PERSONAL IDENTIFICATION NUMBER;

(XIV) UNIQUE BIOMETRIC DATA, INCLUDING FINGERPRINT,
VOICEPRINT, RETINA OR IRIS IMAGE, OR OTHER UNIQUE PHYSICAL
REPRESENTATION;

(XV) DIGITAL SIGNATURE;

(XVI) CREDIT CARD NUMBER OR OTHER PAYMENT DEVICE
NUMBER; AND

(XVII) SCHOOL ADDRESS.

(B) THIS SECTION DOES NOT APPLY TO:

(1) A MEMBER OF THE PRESS, INCLUDING A STUDENT JOURNALIST,
AN EMPLOYEE OF A POSTSECONDARY INSTITUTION, OR AN INDIVIDUAL OTHERWISE
INVOLVED IN CAMPUS MEDIA, WHO IS ENGAGED IN NEWSGATHERING OR REPORTING
ON MATTERS OF PUBLIC CONCERN;

(2) A FACULTY MEMBER, STAFFER, OR STUDENT ENGAGED IN
LEGITIMATE ACADEMIC, RESEARCH, OR EDUCATIONAL ACTIVITIES;

(3) A DISCLOSURE REQUIRED OR AUTHORIZED BY LAW,
INSTITUTIONAL POLICY, OR FOR A LAWFUL CAMPUS SAFETY PURPOSE; OR

(4) A DISCLOSURE MADE TO A CAMPUS POLICE OR PUBLIC SAFETY
OFFICER, A TITLE IX COORDINATOR, OR OTHER AUTHORIZED INSTITUTIONAL
OFFICIAL FOR LEGITIMATE SAFETY OR COMPLIANCE PURPOSES.

(C) A PERSON MAY NOT INTENTIONALLY DISTRIBUTE THE PERSONAL
IDENTIFYING INFORMATION OR IMAGE OF A STUDENT ENROLLED IN AN
INSTITUTION OF SECONDARY EDUCATION OR AN INSTITUTION OF POSTSECONDARY
EDUCATION:

1 **(1) WITHOUT THE EXPRESS PERMISSION OF THE STUDENT OR, IF THE**
2 **STUDENT IS UNDER THE AGE OF 18 YEARS, THE PARENT OR GUARDIAN OF THE**
3 **STUDENT; AND**

4 **(2) WITH:**

5 **(I) INTENT OR KNOWLEDGE THAT THE PERSONAL IDENTIFYING**
6 **INFORMATION OR IMAGE WILL BE USED TO HARM THE STUDENT; OR**

7 **(II) RECKLESS DISREGARD FOR THE RISK THAT THE PERSONAL**
8 **IDENTIFYING INFORMATION OR IMAGE WILL BE USED TO HARM THE STUDENT.**

9 **(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
10 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A**
11 **FINE NOT EXCEEDING \$5,000 OR BOTH.**

12 **(E) THIS SECTION MAY NOT BE CONSTRUED OR APPLIED IN A MANNER THAT**
13 **VIOLATES AN INDIVIDUAL'S RIGHT TO FREE SPEECH OR TO THE FREEDOM OF THE**
14 **PRESS UNDER THE U.S. CONSTITUTION OR THE MARYLAND DECLARATION OF**
15 **RIGHTS.**

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