

# SENATE BILL 569

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By: **Senator Ellis**

Introduced and read first time: February 4, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Online Data Privacy – Limits on Data Collection**

3 FOR the purpose of altering certain requirements for a controller relating to the collection  
4 of personal data; and generally relating to the collection and processing of personal  
5 data.

6 BY repealing and reenacting, without amendments,  
7 Article – Commercial Law  
8 Section 14–4701(a) and (k)  
9 Annotated Code of Maryland  
10 (2025 Replacement Volume)

11 BY repealing and reenacting, with amendments,  
12 Article – Commercial Law  
13 Section 14–4701(y) and 14–4707(a)  
14 Annotated Code of Maryland  
15 (2025 Replacement Volume)

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

18 **Article – Commercial Law**

19 14–4701.

20 (a) In this subtitle the following words have the meanings indicated.

21 (k) “Controller” means a person that, alone or jointly with others, determines the  
22 purpose and means of processing personal data.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(y) (1) “Process” means an operation or set of operations performed by manual or automated means on personal data.

(2) “Process” includes collecting, using, storing, disclosing, analyzing, [deleting,] or modifying personal data.

**(3) “PROCESS” DOES NOT INCLUDE DELETING PERSONAL DATA OR EFFORTS MADE TO IDENTIFY PERSONAL DATA SOLELY FOR THE PURPOSE OF DELETION OR DATA MINIMIZATION.**

14–4707.

(a) A controller may not:

(1) Except where the collection or processing is strictly necessary to provide or maintain a specific product or service requested by the consumer to whom the personal data pertains, collect, process, or share sensitive data concerning a consumer;

(2) Sell sensitive data;

(3) Process personal data in violation of State or federal laws that prohibit unlawful discrimination;

(4) Process the personal data of a consumer for the purposes of targeted advertising if the controller knew or should have known that the consumer is under the age of 18 years;

(5) Sell the personal data of a consumer if the controller knew or should have known that the consumer is under the age of 18 years;

(6) Discriminate against a consumer for exercising a consumer right contained in this subtitle, including denying goods or services, charging different prices or rates for goods or services, or providing a different level of quality of goods or services to the consumer;

(7) Collect, process, or transfer personal data or publicly available data in a manner that unlawfully discriminates in or otherwise unlawfully makes unavailable the equal enjoyment of goods or services on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, or disability, unless the collection, processing, or transfer of personal data is for:

(i) The controller’s self-testing to prevent or mitigate unlawful discrimination;

(ii) The controller’s diversifying of an applicant, participant, or customer pool; or

1 (iii) A private club or group not open to the public, as described in §  
2 201(e) of the Civil Rights Act of 1964; [or]

3 (8) Unless the controller obtains the consumer's consent, process personal  
4 data for a purpose that is neither reasonably necessary to, nor compatible with, the  
5 disclosed purposes for which the personal data is processed, as disclosed to the consumer;  
6 **OR**

7 **(9) UNLESS THE CONTROLLER OBTAINS THE CONSUMER'S CONSENT,**  
8 **COLLECT, PROCESS, SHARE, OR SELL PRECISE GEOLOCATION DATA FOR THE**  
9 **PURPOSE OF TARGETED ADVERTISING.**

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