

SENATE BILL 697

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6lr1848

By: ~~Senator Feldman~~ **Senators Feldman and Hester**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 2, 2026

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Actions to Influence an Election – Social Media Platform**
3 **Algorithms and Bots Purchased by Foreign Nationals**

4 FOR the purpose of establishing a rebuttable presumption that a social media platform has
5 made an independent expenditure to a certain candidate if the social media platform
6 knowingly and purposefully alters its algorithm to amplify certain political content
7 for the benefit of the candidate; establishing certain penalties for a social media
8 platform that is deemed to have made an independent expenditure and fails to file a
9 certain independent expenditure report; prohibiting a foreign national from using a
10 bot to publish, distribute, or disseminate campaign material or artificially amplify
11 political content to users of an online platform for a certain purpose; and generally
12 relating to actions to influence an election.

13 BY adding to

14 Article – Election Law

15 Section 13–251

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Election Law

20 Section 13–401.1

21 Annotated Code of Maryland

22 (2022 Replacement Volume and 2025 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.



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

3 **Article – Election Law**

4 **13-251.**

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

7 (2) “CONTENT” MEANS TEXT, IMAGES, VIDEOS, MEMES, GRAPHICS,
8 AND OTHER EXPRESSIVE MEDIA CREATED BY A PERSON THAT ARE SHARED OR
9 DISSEMINATED ON A SOCIAL MEDIA PLATFORM.

10 (3) “LEGITIMATE BUSINESS PURPOSE” DOES NOT INCLUDE A
11 BUSINESS DECISION TO SUPPORT OR OPPOSE A CANDIDATE DUE TO THE PERCEIVED
12 COMMERCIAL OR FINANCIAL BENEFIT TO THE PERSON IF THE CANDIDATE WINS OR
13 LOSES THE ELECTION.

14 (4) “POLITICAL CONTENT” MEANS CONTENT THAT:

15 (I) EXPRESSES OPINIONS OR VIEWPOINTS ON A CLEARLY
16 IDENTIFIED CANDIDATE IN AN ELECTION THAT ARE DESIGNED TO INFLUENCE A
17 VOTER TO CAST A VOTE OR MAKE A VOTING DECISION IN THAT ELECTION; OR

18 (II) IS CAMPAIGN MATERIALS.

19 (5) “SOCIAL MEDIA PLATFORM” MEANS A WEBSITE OR MOBILE
20 APPLICATION THAT:

21 (I) ALLOWS USERS TO UPLOAD, CREATE, SHARE, AND VIEW
22 CONTENT TO SHARE WITH OTHER USERS; ~~AND~~

23 (II) ENABLES USERS VIEWING CONTENT TO REACT, COMMENT,
24 OR SHARE THE CONTENT VIEWED BY THE USER;

25 (III) ALLOWS USERS TO CONSTRUCT A PUBLIC OR SEMIPUBLIC
26 PROFILE FOR THE PURPOSES OF SIGNING INTO AND USING THE SERVICE OR
27 APPLICATION; AND

28 (IV) ALLOWS USERS TO POPULATE A PUBLIC LIST OF OTHER
29 USERS WITH WHOM AN INDIVIDUAL SHARES A SOCIAL CONNECTION WITHIN THE
30 SYSTEM.

1 **(B) THIS SECTION APPLIES ONLY WITH RESPECT TO CANDIDATES FOR**
2 **PUBLIC STATE OR LOCAL OFFICES IN THE STATE.**

3 **(C) (1) A SOCIAL MEDIA PLATFORM THAT KNOWINGLY AND PURPOSELY**
4 **ALTERS ITS ALGORITHM TO AMPLIFY POLITICAL CONTENT TO USERS THAT IS**
5 **BENEFICIAL TO A CLEARLY IDENTIFIED CANDIDATE FOR THE PURPOSE OF**
6 **INFLUENCING AN ELECTION IS PRESUMED TO HAVE MADE AN INDEPENDENT**
7 **EXPENDITURE IF:**

8 **(I) THE ALTERATION TO THE ALGORITHM IS MADE WITHOUT:**

9 **1. A LEGITIMATE BUSINESS PURPOSE OR STANDARD**
10 **POLICY FOR EDITORIAL CONTROL AND JUDGMENT BEFORE AN ELECTION; AND**

11 **2. THE COOPERATION, CONSULTATION,**
12 **UNDERSTANDING, AGREEMENT, OR CONCERT WITH THE CLEARLY IDENTIFIED**
13 **CANDIDATE; AND**

14 **(II) THE POLITICAL CONTENT IS NOT PAID ADVERTISING FOR**
15 **THE CLEARLY IDENTIFIED CANDIDATE OR A POLITICAL PARTY, AN AGENT OF THE**
16 **CANDIDATE OR A POLITICAL PARTY, OR A CAMPAIGN FINANCE ENTITY.**

17 **(2) THE VALUE OF AN INDEPENDENT EXPENDITURE MADE UNDER**
18 **PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DETERMINED BY THE FAIR MARKET**
19 **VALUE OF THE COST TO BOOST CONTENT ON THE SOCIAL MEDIA PLATFORM BASED**
20 **ON:**

21 **(I) THE FACTORS USED BY THE SOCIAL MEDIA PLATFORM TO**
22 **DETERMINE COSTS; AND**

23 **(II) THE ACTUAL EFFECT OF THE ALTERATIONS TO THE**
24 **ALGORITHM.**

25 **(D) A SOCIAL MEDIA PLATFORM MAY REBUT THE PRESUMPTION UNDER**
26 **SUBSECTION (C) OF THIS SECTION BY PRESENTING SUFFICIENT CONTRARY**
27 **EVIDENCE AND OBTAINING A DECLARATORY RULING FROM THE STATE BOARD**
28 **THAT:**

29 **(1) THE ALTERATION TO THE ALGORITHM WAS NOT FOR THE**
30 **PURPOSE OF INFLUENCING AN ELECTION;**

31 **(2) THE AMPLIFIED POLITICAL CONTENT WAS THE RESULT OF**
32 **ORGANIC VIRALITY; OR**

1 **(3) A LEGITIMATE BUSINESS PURPOSE OR EDITORIAL CONTROL OVER**
2 **CONTENT MODERATION WAS NOT THE RESULT OF THE ADVANCEMENT OF A**
3 **SPECIFIC POLITICAL VIEWPOINT OR IDEOLOGY.**

4 **(E) A PERSON THAT IS DEEMED TO MAKE AN INDEPENDENT EXPENDITURE**
5 **UNDER SUBSECTION (C) OF THIS SECTION AND WILLFULLY AND KNOWINGLY FAILS**
6 **TO FILE A REPORT AS REQUIRED UNDER § 13-306 OF THIS TITLE IS GUILTY OF A**
7 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING 300%**
8 **OF THE AMOUNT BY WHICH THE INDEPENDENT EXPENDITURE MADE BY THE PERSON**
9 **EXCEEDED THE APPLICABLE CONTRIBUTION LIMIT UNDER § 13-226 OF THIS**
10 **SUBTITLE.**

11 **(F) (1) THE STATE ADMINISTRATOR OR THE STATE ADMINISTRATOR'S**
12 **DESIGNEE MAY INVESTIGATE A POTENTIAL VIOLATION OF § 13-306 OF THIS TITLE**
13 **BY A PERSON WHO IS DEEMED TO HAVE MADE AN INDEPENDENT EXPENDITURE**
14 **UNDER SUBSECTION (C) OF THIS SECTION.**

15 **(2) THE STATE ADMINISTRATOR OR THE STATE ADMINISTRATOR'S**
16 **DESIGNEE SHALL:**

17 **(I) NOTIFY A SOCIAL MEDIA PLATFORM THAT IS SUBJECT TO AN**
18 **INVESTIGATION UNDER THIS SUBSECTION OF THE CIRCUMSTANCES THAT GAVE**
19 **RISE TO THE INVESTIGATION; AND**

20 **(II) PROVIDE THE SOCIAL MEDIA PLATFORM AMPLE**
21 **OPPORTUNITY TO BE HEARD AT A PUBLIC MEETING OF THE STATE BOARD.**

22 **(3) (I) IN FURTHERANCE OF AN INVESTIGATION UNDER**
23 **PARAGRAPH (1) OF THIS SUBSECTION, THE STATE ADMINISTRATOR OR THE STATE**
24 **ADMINISTRATOR'S DESIGNEE MAY ISSUE A SUBPOENA FOR THE ATTENDANCE OF A**
25 **WITNESS TO TESTIFY OR THE PRODUCTION OF RECORDS.**

26 **(II) A SUBPOENA ISSUED UNDER THIS PARAGRAPH SHALL BE**
27 **SERVED IN ACCORDANCE WITH THE MARYLAND RULES.**

28 **(III) IN ORDER FOR A SUBPOENA TO BE ISSUED UNDER THIS**
29 **PARAGRAPH, THE STATE ADMINISTRATOR SHALL MAKE A FINDING THAT THE**
30 **SUBPOENA IS NECESSARY TO AND IN FURTHERANCE OF AN INVESTIGATION BEING**
31 **CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

32 **(IV) ANY FILING SUBMITTED TO A COURT WITH RESPECT TO A**
33 **SUBPOENA UNDER THIS PARAGRAPH SHALL BE ~~SEALED~~ SHIELDED ON FILING.**

1 (V) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED
2 UNDER THIS PARAGRAPH, ON PETITION OF THE STATE ADMINISTRATOR, A CIRCUIT
3 COURT OF COMPETENT JURISDICTION MAY COMPEL COMPLIANCE WITH THE
4 SUBPOENA.

5 (4) AT THE CONCLUSION OF THE INVESTIGATION AND FOLLOWING
6 THE HEARING UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION, THE STATE BOARD
7 SHALL ISSUE A PUBLIC REPORT OF ITS FINDINGS AND MAY:

8 (I) IMPOSE A CIVIL PENALTY AS PROVIDED IN PARAGRAPH (5)
9 OF THIS SUBSECTION IF THE STATE BOARD DETERMINES THAT THE SOCIAL MEDIA
10 PLATFORM HAS UNINTENTIONALLY VIOLATED § 13-306 OF THIS TITLE; OR

11 (II) REFER THE MATTER FOR FURTHER INVESTIGATION BY THE
12 STATE PROSECUTOR IF THE STATE BOARD HAS REASONABLE CAUSE TO BELIEVE
13 THAT THE SOCIAL MEDIA PLATFORM HAS WILLFULLY AND KNOWINGLY VIOLATED
14 THIS SECTION.

15 (5) A CIVIL PENALTY UNDER PARAGRAPH (4)(I) OF THIS SUBSECTION:

16 (I) SHALL BE ASSESSED IN THE MANNER SPECIFIED IN §
17 13-604.1 OF THIS TITLE; AND

18 (II) MAY NOT EXCEED:

19 1. 100% OF THE AMOUNT BY WHICH THE INDEPENDENT
20 EXPENDITURE MADE BY THE SOCIAL MEDIA PLATFORM EXCEEDED THE APPLICABLE
21 CONTRIBUTION LIMIT UNDER § 13-226 OF THIS SUBTITLE; OR

22 2. 100% OF THE AMOUNT BY WHICH THE INDEPENDENT
23 EXPENDITURE OF WHICH THE CANDIDATE OR POLITICAL PARTY WAS THE
24 BENEFICIARY EXCEEDED THE APPLICABLE CONTRIBUTION LIMIT UNDER § 13-226
25 OF THIS SUBTITLE.

26 (G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
27 FINE OR PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE SOCIAL
28 MEDIA PLATFORM THAT COMMITTED THE VIOLATION.

29 (2) A CANDIDATE MAY NOT BE HELD JOINTLY AND SEVERALLY
30 LIABLE FOR A FINE OR PENALTY IMPOSED UNDER THIS SECTION UNLESS A COURT
31 OR THE STATE BOARD FINDS THAT THE CANDIDATE ENGAGED IN CONDUCT THAT
32 CONSTITUTES COORDINATION WITH A PERSON UNDER THIS SECTION.

1 **(H) A FINE OR PENALTY IMPOSED UNDER THIS SECTION SHALL BE**
 2 **DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER §**
 3 **15-103 OF THIS ARTICLE.**

4 **(I) THE STATE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS**
 5 **SECTION.**

6 13-401.1.

7 (a) (1) In this section the following words have the meanings indicated.

8 (2) “Bot” means an automated online account where all or substantially all
 9 of the actions or posts of that account are not the result of a person.

10 (3) “CONTENT” HAS THE MEANING STATED IN § 13-251 OF THIS
 11 TITLE.

12 (4) “FOREIGN NATIONAL” MEANS:

13 (I) AN INDIVIDUAL WHO IS A CITIZEN OF A FOREIGN COUNTRY;

14 (II) A GOVERNMENT OF A FOREIGN COUNTRY OR OF A
 15 POLITICAL SUBDIVISION OF A FOREIGN COUNTRY;

16 (III) A FOREIGN POLITICAL PARTY; OR

17 (IV) AN INDIVIDUAL, A PARTNERSHIP, AN ASSOCIATION, A
 18 CORPORATION, AN ORGANIZATION, OR ANY OTHER COMBINATION OF INDIVIDUALS
 19 ORGANIZED UNDER THE LAWS OF OR HAVING ITS PRINCIPAL PLACE OF BUSINESS IN
 20 A FOREIGN COUNTRY.

21 [(3)] (5) “Online” means appearing on any public-facing Internet website,
 22 web application, or digital application, including a social network or publication.

23 (6) “POLITICAL CONTENT” HAS THE MEANING STATED IN § 13-251 OF
 24 THIS TITLE.

25 (b) (1) This section applies to any candidate, campaign finance entity, person
 26 required to register under § 13-306, § 13-307, or § 13-309.2 of this title, or an agent of a
 27 candidate, campaign finance entity, or person required to register under § 13-306, §
 28 13-307, or § 13-309.2 of this title.

29 (2) In addition to the requirements under §§ 13-401 and 13-403 of this
 30 subtitle, a person subject to this section that uses a bot to publish, distribute, or disseminate

1 campaign material online to another person in the State for the purpose of influencing an
2 election shall disclose in a clear and conspicuous manner on the campaign material that
3 the person is using a bot to publish, distribute, or disseminate the campaign material.

4 (3) If a person subject to this section violates the requirement under
5 paragraph (2) of this subsection, the State Board may seek to remove the bot.

6 (C) (1) A FOREIGN NATIONAL MAY NOT USE A BOT TO:

7 (I) PUBLISH, DISTRIBUTE, OR DISSEMINATE CAMPAIGN
8 MATERIAL ONLINE TO A PERSON IN THE STATE FOR THE PURPOSE OF INFLUENCING
9 AN ELECTION; OR

10 (II) ARTIFICIALLY AMPLIFY POLITICAL CONTENT TO USERS OF
11 AN ONLINE PLATFORM FOR THE PURPOSE OF INFLUENCING AN ELECTION.

12 (2) IF THE STATE BOARD DETERMINES THAT THERE HAS BEEN A
13 VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION, THE STATE BOARD MAY SEEK
14 TO REMOVE THE BOT.

15 [(c)] (D) This section does not impose a duty on service providers of online
16 platforms, including web hosting and Internet service providers.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.