

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 932
Finance

(Senator Harris)

Consumer Protection - Social Media Platforms - Display of User Location

This bill generally requires a person that operates a social media platform to display to a State user the “general geographical location” of each user whose account is visible to the State user on the social media platform. “General geographical location” means, at the time of access to a social media platform, the city and country derived from the Internet protocol address of the network connection through which a user’s device accesses the social media platform. A person that operates a social media platform may not display the general geographical location of a user who the person knows (or has reason to know) is a minor. Violation of the bill is an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), subject to MCPA’s civil penalty provisions, except provisions that allow a private right of action. Additionally, MCPA enforcement provisions that allow a person aggrieved by an order of the Consumer Protection Division of the Office of the Attorney General (OAG) to institute any appropriate proceedings considered necessary do not apply to violations of the bill.

Fiscal Summary

State Effect: The bill’s imposition of existing penalty provisions does not have a material impact on State finances or operations. OAG’s Consumer Protection Division can likely handle the bill’s requirements with existing resources, as discussed below.

Local Effect: The bill’s imposition of existing penalty provisions does not have a material impact on local government finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law:

Maryland Online Data Privacy Act (Title 14, Subtitle 47 of the Commercial Law Article)

Chapters 454 and 455 of 2024 (the Maryland Online Data Privacy Act of 2024) establish new consumer protections and rights, as well as disclosure obligations, relating to online personal data controlled or processed by certain entities that conduct business in the State or provide services or products that are targeted to residents of the State. Violation of the Maryland Online Data Privacy Act is an unfair, abusive, or deceptive trade practice under MCPA, subject to MCPA's civil and criminal penalty provisions.

Under the Acts, a "controller" means a person that, alone or jointly with others, determines the purpose and means of processing personal data. "Personal data" means any information that is linked (or can be reasonably linked) to an identified or identifiable consumer. Among other requirements, a controller must limit the collection of personal data to what is reasonably necessary and proportionate to provide or maintain a specific product or service requested by the consumer to whom the data pertains.

Maryland Consumer Protection Act

An unfair, abusive, or deceptive trade practice under MCPA includes, among other acts, any false, falsely disparaging, or misleading oral or written statement, visual description, or other representation of any kind which has the capacity, tendency, or effect of deceiving or misleading consumers. The prohibition against engaging in any unfair, abusive, or deceptive trade practice encompasses the offer for or actual sale, lease, rental, loan, or bailment of any consumer goods, consumer realty, or consumer services; the extension of consumer credit; the collection of consumer debt; or the offer for or actual purchase of consumer goods or consumer realty from a consumer by a merchant whose business includes paying off consumer debt in connection with the purchase of any consumer goods or consumer realty from a consumer.

The Consumer Protection Division is responsible for enforcing MCPA and investigating the complaints of aggrieved consumers. The division may attempt to conciliate the matter, issue a cease and desist order, or file a civil action in court. A merchant who violates MCPA is subject to a fine of up to \$10,000 for each violation and up to \$25,000 for each repetition of the same violation. In addition to any civil penalties that may be imposed, any person who violates MCPA is guilty of a misdemeanor and, on conviction, is subject to a fine of up to \$1,000 and/or imprisonment for up to one year.

State Expenditures: Although OAG advises that one full-time position is needed to evaluate whether social media companies are complying with the bill, the Department of Legislative Services (DLS) disagrees with this assessment and notes that the bill significantly curtails the enforcement provisions of MCPA that apply to violations of the bill. For example, under the bill, MCPA’s criminal penalty provisions do not apply, and OAG will be unable to take related criminal enforcement actions. DLS further advises that without experience under the bill, it is unclear to what extent social media companies will be noncompliant and whether there will be a significant enough volume of related complaints to necessitate additional investigations and staff. To the extent OAG receives a significant number of complaints from consumers under the bill that it is unable to handle with existing staff, OAG may request additional resources through the annual budget process.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Department of Legislative Services

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