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Economic Matters Committee

Subcommittees

Banking, Consumer Protection,
and Commercial Law
Property and Casualty Insurance



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 26, 2020

Hon. Delegate Dereck E. Davis
Chair, Economic Matters Committee
Hon. Delegate Kathleen M. Dumais
Vice Chair, Economic Matters Committee
House Office Building, Room 231
6 Bladen Street
Annapolis, MD 21401

Re: HB-274, Financial Institutions – Security Questions and Measures

Position: Favorable with Amendments

Good afternoon Chairman Davis and members of the committee.

House Bill 274 is a consumer protection, consumer privacy bill.

Since 1882, mother's maiden name has been a device, a security measure that has been used by many businesses, including our banks. The problem is, we're not in 1882 anymore, and it's very easy to get this information online.

I'm going to read a few names, and think to yourself if you recognize any of them.

- Hickey, Earp, Perez, Bilezikian, Quatman, Flanagan, Hayjek and Hyland

It took very little effort for my intern to find those names. This same exercise was done for the senators prior to the cross-filed senate bill hearing, yielding similar results.

In your packets is testimony from a man named Christopher, who woke up one morning and found that all of his life savings had been stolen by someone who was able to hack into an account, multiple accounts, that had been "protected" by a mother's maiden name. He writes very movingly of the challenges he had in trying to regain his life savings, his credit history and more.

Mother's maiden name is now an archaic form of protection for our constituents. This bill would simply say that our banks need to offer more than one question for a security measure and that none of them could be a mother's maiden name.

We've all signed up for accounts and have been asked our first grade teacher's name, or our favorite pet's name, or the street we grew up on - there are a many different questions that we've all answered. Some of those are fairly transparent, but none is as easy to find as a mother's maiden name.

Websites such as **ancestry.com** or **staterrecords.org** are just two sources that provide this type of information. Obituaries are an easy source, as well as social media. These sources provide the information for hackers or for other evil doers.

In a 2005 study, a researcher was able to deduce a mother's maiden name for 4 million Texans, 18% of the state's total population.

The reality is, some women don't change their name – so their maiden name is their name. Some offspring take a hyphenated name, and often one of those names is their mother's maiden name. Then there are people with two mothers – which name should they choose? Or people with two fathers - they can't even answer the question. Clearly, a mother's maiden name as a security measure is outdated.

A few final words: first, the credit reporting agencies had concern that this bill would include them. I agree that they should be opted out and clarified. There is an amendment for your consideration that clarifies that language. Also, Senator Kagan added uncodified language that made it clear that this bill would be prospective and not retrospective. We're not expecting the banks to go back and contact every account holder and ask them for a different security measure.

Lastly, a colleague asked, isn't this a slippery slope, that if you do this for banks, would you do this for Netflix? If someone hacks into your Netflix account, they can watch old episodes of *West Wing* for free. If they hack into your bank account, they can steal your life savings. I think we need to take a common sense measure, and prohibit the use in our state banks.