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Budget and Taxation Committee

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THE SENATE OF MARYLAND
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Testimony of Senator Craig J. Zucker
Senate Bill- 781 - Election Law - Disclosure of Qualifying Paid Digital
Communications - Revisions
Senate Education, Health, and Environmental Affairs Committee
February 20th, 2020
1:00pm
Position: SUPPORT

Good afternoon Chairman Pinsky, Vice Chairman Kagan and distinguished members of the committee. It is my pleasure to testify today in **support of Senate Bill 781- Election Law - Disclosure of Qualifying Paid Digital Communications - Revisions**. I am very thankful for the committee's consideration of this important piece of legislation.

In 2018, I passed The Online Electioneering Transparency and Accountability Act. In December of 2019, the Fourth District Court ruled that the Online Electioneering Transparency and Accountability Act granted an injunction against the State Board of Elections from enforcing the law against press and media outlets. However, in the ruling, it was noted that online platforms had to maintain records in a different way than other digital ads. The purpose of this legislation is to revise existing law surrounding digital advertisements.

Maryland has the opportunity to be a leader protecting integrity around our elections. Senate Bill 781 brings transparency to online ads and provides a national road map for other states to follow. This bill does not address enforcement against the press. Nor does the legislation address all of the issues discussed in the 4th Circuit opinion. It addresses one of them.

Senate Bill 781 requires the online platform to maintain a record of advertisements for at least one year after the general election the ad is targeted for. The platform where the ad was displayed must produce the record of the advertisement within 48 hours upon the request of the State Board of Elections. These records will be held to the same standard as all other types of ads placed on a platform.

I urge a favorable report on Senate Bill 781. Thank you for your kind consideration.