



Maryland | Delaware | DC Press Association

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To: Budget & Tax Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

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Re: SB 904 - UNFAVORABLE

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of news media, from large metro dailies like the Washington Post and the Baltimore Sun, to hometown newspapers such as The Annapolis Capital and the Frederick News Post to publications such as The Daily Record, Baltimore Jewish Times, and online-only publications such as The Baltimore Banner, MarylandMatters.com and Baltimore Brew.

The Press Association has concerns that SB904, as drafted, will negatively affect Maryland journalism. This bill creates a new system of registration, taxation and oversight that may unintentionally pull in news media.

1. The bill's definitions of "brokered personal data," "data broker," "data brokering," and "sell" are so broad that virtually all businesses that advertise in Maryland would be subject to the bill's obligations. Further, the bill entirely ignores the important definitions established in the Maryland Online Data Privacy Act that distinguish between targeted advertising and other forms of advertising.

For example, first-party advertising that sustains high-quality journalism and is expected by readers would be classified as "data brokering." Significant work must be done to refine the bill language to ensure consistency with existing Maryland privacy law and other state privacy frameworks. Consistency is imperative to ensure fairness and operational certainty for Maryland businesses, including publishers.

2. Given the bill's broad definitions, the tax could be levied on virtually every business in Maryland – including providers of high-quality local journalism. We are deeply concerned that the measure lacks an explicit exclusion for news media entities.

In 2021, the Maryland legislature recognized the importance of advertising to sustaining local journalism and deliberated excluding news media entities from the Digital Advertising Tax Act. The economic impact of this tax could be devastating to local newspapers.

In short, the bill needs its own guardrails.

We urge the Budget and Taxation Committee to reject the measure and work with interested stakeholders on amendments to better refine the intent of the bill, protecting both Maryland consumers' privacy and access to high-quality local news media.



**We believe a strong news media is
central to a strong and open society.**