

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1431
State and Local Agencies – Enforcement of Federal Immigration
Law – Restrictions on Access to Information (Maryland Data
Privacy Act)
DATE: February 12, 2025
(2/27)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 1431 to the extent it would apply to the Judiciary. The Judiciary has no opposition or position in the event that it does not.

This bill would require the Judiciary to implement technology or other record keeping procedures regarding requests from certain persons seeking access to certain databases. Given the breadth of the bill's language, it would appear to apply to persons using databases available to the general public for informational purposes. The Judiciary does not currently screen or have the capacity to screen those persons to determine whether they fall within the classification the bill intends to prohibit.

This bill also requires that each unit of state government maintain a record of each request seeking access to a database, record or information and report the same to the Office of the Attorney General. Further, it may require the Judiciary to ask an individual's motivation for seeking a record and whether it is for the purpose of enforcing federal immigration law. Judicial records are public records and inquiry into an

individual's reason for accessing a judicial record is antithetical to the transparency of public records.

cc. Hon. Lorig Charkoudian
Judicial Council
Legislative Committee
Kelley O'Connor