February 7, 2025

The Honorable Vanessa Atterbeary
Chair
House Ways and Means Committee
131 Taylor House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: HB 730 (Morgan) - Election Law - Online Platforms and Qualifying Paid Digital
Communications - Alterations

Dear Madam Chair and Members of the Committee:

At Google, we recognize that political advertising is a critical component of democratic
elections and we want voters to have more information about the election ads they see on our
platform. For many years, we have provided additional levels of transparency for election ads
including "paid for by" disclosures and a publicly available ads library.

When Maryland first introduced legislation related to online political advertising in 2018, we
explained that our systems were not then built to collect and provide the information required,
in the time frame the law required. As a result, we implemented a policy to no longer accept
these ads in the state of Maryland. Despite this policy, we committed to continue engaging with
the legislature and the Board of Elections on laws and regulations that would be compatible
with Google's systems and allow us to return to the Maryland market.

We continued to maintain that engagement, and today I am happy to testify in support of
House Bill 730, which appropriately recognizes the difference between online and offline ad
ecosystems. This bill advances the General Assembly's important interest in ensuring
transparency – which we share – and is also sufficiently flexible to allow for further
technological innovation in this area. This legislation also ensures transparency in political
advertising by requiring key disclaimer information.

Google has a policy requiring all US advertisers who wish to run election ads on our platforms
to go through a verification process and to have an in-ad disclosure that clearly shows who
paid for the ad. US elections ads include ads that feature a state-level candidate, officeholder,
political party, or ballot measure. These ads are compiled in our Political Ads Transparency
Report[1], which also displays statistical information about the ads' cost, impressions, and
targeting, among other information. Similar transparency requirements are a key component of
the bill, and we support them.

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[1] https://adstransparency.google.com/political?region=US&topic=political

Crucially, this bill's self-declaration provision places responsibility on **advertisers** to *provide notice* to the platform from which they are directly purchasing ads that the ads they wish to run are political ads in scope of Maryland law. Determining whether a particular ad is "political" or not is a nuanced assessment that is hard to do without individual review. For example, "Vote for Ed Smith" may qualify as a political ad, but an assessment can become more complex with slight changes like: "Ed Smith or Jane Jones, the choice is yours."

Under the legislation, after the advertiser provides notice to a platform, the transparency obligations for the platform then trigger as soon as practicable *after the ads have run*. These flexible requirements both reflect how ad platforms operate and achieve Maryland's goals to bring greater transparency to political advertising as defined by Maryland law.

Google has long shared the General Assembly's goal of promoting transparency in political advertising, and we have long been a leader in this space. This bill addresses our technical concerns and – if enacted – would enable Google to return to the online political advertising market in Maryland in the future.

Sincerely,

Ron Barnes
Head of State Legislative Affairs