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March 3, 2026

TO: The Honorable Kriselda Valderrama, Chair
Economic Matters Committee

FROM: Hanna Abrams, Assistant Attorney General

RE: House Bill 1220 – Business Regulation – Data Broker Registry
(SUPPORT WITH AMENDMENTS)

The Consumer Protection Division of the Office of the Attorney General supports, with the amendments discussed below House Bill 1220 (“HB 1220”), sponsored by Delegate Solomon. House Bill 1220 requires data brokers that trade in the personal data of Maryland residents to register with the state.

Data brokers are companies that collect, aggregate, and sell personal information about people with whom they have no direct relationship. Since they have no direct relationship with consumers, people are often unaware they exist. House Bill 1220 requires data brokers to register in Maryland.¹

The Division supports House Bill 1220, but recommends deleting page 4, lines 6-26 which exempts entities subject to the Federal Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA), as well as the National Insurance Crime Bureau from registering in Maryland. A data broker registry does not limit the amount of data that is collected, marketed, or sold or even how it is used; it merely informs the public which entities buy and sell data. There is little justification for exempting any entity from the registry requirement, since they are

¹ Senate Bill 616 establishes a \$200 per day fine for failing to register. While a \$200 fine would be inadequate to fund a privacy unit to enforce Maryland’s privacy laws, it is comparable to the fines applied to data brokers in California for failing to register Cal. Civ. Code 1798.99.82(c).

already obligated to register in Vermont.² If any exemption is applied, however, it should be limited to collected pursuant to and in compliance with the GLBA or the FCRA.³

Additionally, the Division recommends removing the exclusion of “publicly available information” from the definition of personal data when the publicly available information is compiled from more than one source. By piecing together information from many different sources, even if it is publicly available, data brokers can create extremely detailed dossiers about people. Criminals use these compilations of data to scam and defraud consumers because someone is more likely to fall for a phishing scam when it includes accurate information about the person’s location, prior residences, telephone information, mortgage loan amounts, or even roommate names. With technology today, public records can be amassed and collated instantly, and this trend will only increase with the use of artificial intelligence. The exceptions for publicly available information generally emerged from an era when paper records were commonplace and are overbroad for today’s world.

The Division asks the Economic Matters Committee to issue a favorable report with the amendments discussed.

cc: Delegate Jared Solomon
Members, Economic Matter Committee

² 9 Vt. Stat. Ann. § 2430.

³ For example, many credit reporting agencies sell much more than credit reports. Some credit reporting agencies sell consumer health data, marketing data, location data, biometrics, digital behavior data, internet activity, education data, inferences based on personal characteristics and preferences drawn from personal data, and other information that goes far beyond what we imagine is included in a credit file.