



TESTIMONY

COMMITTEE: Senate Education, Energy, and the Environment

DATE: February 12, 2026

POSITION: Favorable with Amendments

BILL: SB 121

The Maryland Municipal League (MML) supports the intent of Senate Bill 121, which seeks to safeguard the personal privacy and safety of public servants and their families. In an era of increasing digital accessibility, protecting the sensitive data of those who serve our communities is a goal our 161 member municipalities share. However, as currently drafted, the bill presents several operational and legal challenges that require amendments to ensure it is both practical to implement and consistent with existing local laws.

Operational Feasibility and Timelines: The 72-hour window for the removal of published information is a significant concern, particularly for Maryland's smaller municipalities that rely on part-time staff or shared IT resources. Furthermore, the bill does not clearly define the scope of a clerk's duty to search for "nested" data within decades of digitized historical records. We believe the bill should be amended to provide a more realistic compliance timeframe and to place the burden of identifying specific URLs or records on the requester.

Liability and Good Faith Implementation As drafted, the bill allows for the imposition of attorney's fees against governmental entities. Municipal records custodians frequently perform complex legal balancing tests under the Maryland Public Information Act (MPIA). It is essential that staff acting in "good faith" are not subject to punitive monetary damages for discretionary decisions or technical oversights in identifying shielded data.

Municipal Election Consistency: MML is concerned with the provision allowing a "secondary residence" to be used as an actual address for election-related purposes. Municipal charters often have strict residency and domiciliary requirements for candidates. Without the ability to verify a candidate's primary domicile, local Boards of Elections risk being unable to enforce their own charter-mandated eligibility standards. Because municipal elections are generally not governed by the State Election Law Article, certain protections in this bill may not legally apply to local candidates. Technical amendments are needed to include "applicable local law" alongside references to state law to ensure uniform application.

MML looks forward to working with Senator Hester and the Committee to refine these details. We believe that with the inclusion of these amendments, SB 121 can effectively protect our public servants without compromising the administrative integrity of municipal government.

For these reasons, the Maryland Municipal League requests a favorable with amendment report on Senate Bill 121.

For more information relating to this piece of testimony, please contact:

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