

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 Government, Labor and Elections
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1317
State Government - Data-Sharing Agreements and Personal
Identifying Information - Prohibition and Reporting (Maryland
Data Privacy and Federal Shield Act)
DATE: February 25, 2026
(3/3)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes House Bill 1317, as drafted. The Judiciary would specifically request that it be excluded from the legislation based on operational concerns and the separation of powers doctrine. If excluded, the Judiciary has no opposition.

This bill requires that the Attorney General (AG) submit a report on State data sharing agreements with the federal government to the Governor and the General Assembly. The report is required to include all current data sharing agreements between the state or a unit of local government and the federal government, determine if the data sharing agreement is in compliance with state and federal privacy laws, and if not, provide recommendations to bring the agreement into compliance. If the Judiciary is deemed to be not in compliance, the Judiciary would be subject to the AG's recommendations.

The legislation further prohibits the state or local government from providing information to assist in the establishment or maintenance of a federal registry based on race, national origin, or religious affiliation.

The Judiciary currently shares data, including personally identifying information, to the federal government for law enforcement purposes. One example is through Criminal Justice Information Services (CJIS). The Judiciary shares personal identifying information related to individuals who are convicted of crimes and that is included in the national CJIS database for the purpose of criminal background checks. Data from CJIS is then used, among other tools, by District Court Commissioners when determining if an individual should be subject to pretrial conditions when they are awaiting trial. Prohibiting such a data sharing agreement would substantially interfere with court operations and hinder judicial functions.

cc. Hon. Julian Ivey
Judicial Council
Legislative Committee
Kelley O'Connor