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House Government, Labor, and Elections Committee

HB 145 Election Law - Election Misinformation, Election Disinformation, and Deepfakes

Bill Hearing Date February 4th, 2026

Position: Favorable

Dear Chair Wells, Vice Chair Kerr, and Honorable Committee Members,

My name is Michael Butkiewicz. I am an author and civic-education researcher from Montgomery County, and my work has appeared across regional outlets. I write today in support of House Bill 145, with several recommendations for strengthening its impact. The bill directs the State Board of Elections to operate an online reporting portal through which the public may submit alleged election-related misinformation or disinformation. The Board may then issue corrective information or refer cases for prosecution.

The bill's greatest strength is its precision. By clearly defining the categories of misinformation it covers—when you vote, where you vote, how you vote, who can vote, and election results—it creates a targeted, transparent framework that protects the public from partisan manipulation. This specificity reinforces institutional trust and avoids the ambiguity that often undermines similar efforts.

It is equally important, however, to acknowledge the bill's limitations. The corrective, information pathway is likely to have limited reach and is vulnerable to response, bias dynamics. Individuals who regularly consult the State Board of Elections are rarely the ones misled by misinformation. Those most susceptible typically do not seek out official channels, nor are they likely to report misinformation they believe to be true. As a result, the bill's intended two-pronged structure risks becoming unbalanced, with most of its practical force concentrated in prosecution rather than public correction.

And while the bill is commendably clear about what is and is not prosecutable, closing many potential loopholes, the broader goal implied by the legislation, improving Marylanders' understanding of electoral

processes, remains largely punitive rather than educational. It penalizes violators but offers few affirmative, accessible supports for the communities most vulnerable to misinformation.

Research published by the National Academies of Sciences, Engineering, and Medicine underscores this point, noting that “beyond correction, we must consider proactive solutions to build audience awareness and resistance,” and that “promoting ‘sticky’ high-quality information, warning people against common myths and misleading techniques, encouraging health and information literacy, and designing platforms more resilient to misinformation efforts are all essential components in the management of infodemics now, and going forward into the future.”¹ Reactive measures alone cannot make the public more skilled at detecting misinformation or more confident in reporting it. That work requires proactive investments in literacy, civic knowledge, and educational incentives.

For that reason, while I strongly support this bill and believe its enactment is unquestionably better than its absence, its full potential emerges only when paired with broader civic-education efforts. Its impact is greatest when layered atop initiatives that teach Marylanders of all ages the fundamentals of civics and the nonpartisan skills needed to identify misinformation. This latter component is especially vital: it not only reduces susceptibility to misleading claims about elections, but also strengthens the civic commitment that ultimately brings people to the ballot box.²

Please report favorably on HB 145.

Thank you.

¹ National Academies of Sciences, Engineering, and Medicine, “To Debunk or Not to Debunk? Correcting (Mis)Information” (2023)

² Civic Literacy and Disinformation in Democracies” (2024), a peer-reviewed study finding that strengthening civic knowledge and skills is essential for resilience against disinformation and for the functioning of democratic systems