

**MD HB0145/SB 141**: Election Law - Election Misinformation, Election Disinformation, and Deepfakes: Please vote **TO OPPOSE** this bill.

Dear Government, Labor & Elections Committee:

I am writing to express my **strong opposition to HB 0145/SB 141**.

While protecting election integrity is a shared goal, this bill takes a deeply flawed approach by empowering the government to police speech related to elections. **HB 0145/SB 141 risks chilling lawful political expression, undermining due process, and granting overly broad enforcement authority without clear, objective standards.**

The bill relies on subjective definitions of “misinformation” and “disinformation,” creating a serious risk that protected speech—political commentary, satire, debate, or good-faith disagreement—could be penalized after the fact. Who determines a “credible report” of misinformation/disinformation? There is no definition in the bill. Why would we trust the “State Administrator” to “communicate, disseminate or distribute...correct information”...? This is an unelected government official. It would be his or her opinion as to what is the correct information. Also, please note that the bill does NOT apply to radio or TV stations if the broadcast is part of a “bona fide newscast”, etc. So, in other words, this bill does NOT apply to the MAIN STREAM MEDIA (who don’t report the “news” but report an “opinion” of the “news” and have been incorrect in the past, regardless of which station you watch). Well, that pretty much defeats the purpose of the bill. **Speech restrictions based on subjective intent or disputed truth claims are incompatible with fundamental First Amendment principles.**

Equally concerning are the **due-process deficiencies**. **HB 0145/SB 141** allows enforcement actions with insufficient procedural safeguards, exposing individuals, campaigns, and grassroots organizations to investigation or penalty without clear notice, neutral adjudication, or timely opportunity to challenge allegations. Laws that regulate speech must be narrowly tailored and accompanied by the highest procedural protections—this bill fails that test.

Election integrity is best protected through **transparent election administration, voter confidence, and enforcement of existing fraud laws**, not by granting the state broad authority to act as an arbiter of political truth. Concentrating such power in government agencies invites abuse, selective enforcement, and politicization—outcomes that would damage public trust rather than strengthen it.

Maryland should reject policies that trade constitutional freedoms for the illusion of control. **HB0145/SB141 undermines free expression, weakens due process, and sets a dangerous precedent for government involvement in political speech.**

For these reasons, I respectfully urge you to **oppose HB 0145.**

Thank you for your time and thoughtful consideration.

Respectfully,

Trudy Tibbals