



BILL NO.: **HB 213**

TITLE: Evidence – Interception of Oral Communications – Fair Housing Testing

SPONSOR: Delegate Bartlett

COMMITTEE: Judiciary

POSITION: **SUPPORT**

DATE: February 24, 2026

Baltimore County **SUPPORTS** House Bill 213 – Evidence – Interception of Oral Communications – Fair Housing Testing. This legislation would make it lawful for a person to intercept a wire, oral, or electronic communication if the person is working as a fair housing tester for a fair housing testing program operated by the federal government, the State, a local government, or a nonprofit civil rights organization. These recordings can only be used to enforce fair housing laws, and are not admissible in any other type of trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the State or a political subdivision of the State.

This legislation would provide a public benefit by helping to proactively combat housing discrimination and its discriminatory effects by allowing fair housing testers to record conversations and interactions with housing professionals engaged in providing rental housing, mortgage lending and home sales services. The County is currently contracted with a non-profit housing organization that performs these types of fair housing testing activities, and passage of this legislation would help enhance and support that effort.

At this time, fair housing testers are not considered law enforcement, and because Maryland is one of eleven states that requires two party consent, this type of interception is currently prohibited. Thirty-nine other states already have laws that permit recoding of fair housing testing activities. This legislation would allow Baltimore County to better enforce federal, state and local fair housing laws as a key tool for ensuring equity, fairness and transparency, and our legal federal and state obligation to affirmatively further fair housing.

Accordingly, Baltimore County urges a **FAVORABLE** report on House Bill 213 from the House Judiciary Committee. For more information, please contact Kayenda Twesigye, State Legislative Officer of Government Affairs at ktwesigye@baltimorecountymd.gov.