

SENATE BILL 107

E1

(PRE-FILED)

6lr1081

CF 6lr1082

By: Senator Henson

Requested: October 2, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 Criminal Law – Distribution of Students' Personal Information – Prohibition

3 FOR the purpose of prohibiting a person from distributing personal identifying information
4 or images of certain students under certain circumstances; and generally relating to
5 the distribution of student information.

6 BY adding to

Article – Criminal Law

Section 3–810

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

Article – Criminal Law

14 3-810.

15 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
16 INDICATED.

17 **(2) (I)** "DISTRIBUTE" MEANS TO GIVE, SELL, TRANSFER,
18 DISSEMINATE, PUBLISH, UPLOAD, CIRCULATE, BROADCAST, MAKE AVAILABLE,
19 ALLOW ACCESS TO, OR ENGAGE IN ANY OTHER FORM OF TRANSMISSION,
20 ELECTRONIC OR OTHERWISE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) PHYSICAL INJURY;

9 (III) ECONOMIC DAMAGES.

(4) (i) "INSTITUTION OF POSTSECONDARY EDUCATION" HAS THE MEANING STATED IN § 10-101 OF THE EDUCATION ARTICLE.

(5) "INSTITUTION OF SECONDARY EDUCATION" MEANS A SCHOOL OR
ANY OTHER INSTITUTION THAT ENROLLS STUDENTS IN GRADES 6 THROUGH 12.

17 (6) "PERSONAL IDENTIFYING INFORMATION" INCLUDES A PERSON'S:

18 (I) NAME;

20 (III) TELEPHONE NUMBER;

21 (IV) DRIVER'S LICENSE NUMBER;

22 (v) SOCIAL SECURITY NUMBER;

23 (VI) PLACE OF EMPLOYMENT;

24 (VII) EMPLOYEE IDENTIFICATION NUMBER;

25 (VIII) HEALTH INSURANCE IDENTIFICATION NUMBER;

26 (IX) MEDICAL IDENTIFICATION NUMBER;

(X) MOTHER'S MAIDEN NAME;

(XI) BANK OR OTHER FINANCIAL INSTITUTION ACCOUNT

(XII) DATE OF BIRTH;

(XIII) PERSONAL IDENTIFICATION NUMBER;

(XIV) UNIQUE BIOMETRIC DATA, INCLUDING FINGERPRINT, RETINA OR IRIS IMAGE, OR OTHER UNIQUE PHYSICAL N;

(XV) DIGITAL SIGNATURE;

(XVI) CREDIT CARD NUMBER OR OTHER PAYMENT DEVICE

(XVII) SCHOOL ADDRESS.

(B) THIS SECTION DOES NOT APPLY TO:

(1) A MEMBER OF THE PRESS, INCLUDING A STUDENT JOURNALIST, STAFF MEMBER OF A POSTSECONDARY INSTITUTION, OR AN INDIVIDUAL OTHERWISE ENGAGED IN CAMPUS MEDIA, WHO IS ENGAGED IN NEWSGATHERING OR REPORTING ON ISSUES OF PUBLIC CONCERN;

(2) A FACULTY MEMBER, STAFFER, OR STUDENT ENGAGED IN
THE ACADEMIC, RESEARCH, OR EDUCATIONAL ACTIVITIES;

(3) A DISCLOSURE REQUIRED OR AUTHORIZED BY LAW, NAL POLICY, OR FOR A LAWFUL CAMPUS SAFETY PURPOSE; OR

(4) A DISCLOSURE MADE TO A CAMPUS POLICE OR PUBLIC SAFETY TITLE IX COORDINATOR, OR OTHER AUTHORIZED INSTITUTIONAL OR LEGITIMATE SAFETY OR COMPLIANCE PURPOSES.

25 (C) A PERSON MAY NOT INTENTIONALLY DISTRIBUTE THE PERSONAL
26 IDENTIFYING INFORMATION OR IMAGE OF A STUDENT ENROLLED IN AN
27 INSTITUTION OF SECONDARY EDUCATION OR AN INSTITUTION OF POSTSECONDARY
28 EDUCATION:

1 (1) WITHOUT THE EXPRESS PERMISSION OF THE STUDENT OR, IF THE
2 STUDENT IS UNDER THE AGE OF 18 YEARS, THE PARENT OR GUARDIAN OF THE
3 STUDENT; AND

4 (2) WITH:

5 (I) INTENT OR KNOWLEDGE THAT THE PERSONAL IDENTIFYING
6 INFORMATION OR IMAGE WILL BE USED TO HARM THE STUDENT; OR

7 (II) RECKLESS DISREGARD FOR THE RISK THAT THE PERSONAL
8 IDENTIFYING INFORMATION OR IMAGE WILL BE USED TO HARM THE STUDENT.

9 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
10 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A
11 FINE NOT EXCEEDING \$5,000 OR BOTH.

12 (E) THIS SECTION MAY NOT BE CONSTRUED OR APPLIED IN A MANNER THAT
13 VIOLATES AN INDIVIDUAL'S RIGHT TO FREE SPEECH OR TO THE FREEDOM OF THE
14 PRESS UNDER THE U.S. CONSTITUTION OR THE MARYLAND DECLARATION OF
15 RIGHTS.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2026.