

HOUSE BILL 951

G1, Q1

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By: **Delegate D. Jones**

Introduced and read first time: February 10, 2023

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Election Officials and Workers – Prohibitions Against**
3 **Interference and Disclosure of Personal Information**

4 FOR the purpose of altering the prohibition against a person from interfering with an
5 election official in the performance of the official duties of the election official and
6 altering the related penalty; prohibiting an individual from making available on the
7 Internet certain information regarding an election official or the election official's
8 immediate family; authorizing an election worker to submit a certain request to the
9 State Department of Assessments and Taxation to remove certain information from
10 certain records if the inclusion poses an imminent and serious threat to the election
11 worker or the election worker's immediate family; and generally relating to election
12 officials and election workers.

13 BY repealing and reenacting, with amendments,
14 Article – Election Law
15 Section 16–205
16 Annotated Code of Maryland
17 (2022 Replacement Volume and 2022 Supplement)

18 BY adding to
19 Article – Election Law
20 Section 16–904
21 Annotated Code of Maryland
22 (2022 Replacement Volume and 2022 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article – Tax – Property
25 Section 1–101(a) and (j)(1) and 14–201
26 Annotated Code of Maryland
27 (2019 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY adding to
Article – Tax – Property
Section 14–202
Annotated Code of Maryland
(2019 Replacement Volume and 2022 Supplement)

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

Article – Election Law

16–205.

(a) (1) **THIS SUBSECTION DOES NOT APPLY TO AN ENFORCEMENT ACTION BROUGHT BY AN ELECTION OFFICIAL AGAINST AN ELECTION JUDGE FOR A VIOLATION OF LAW, A REGULATION ADOPTED BY THE STATE BOARD, OR AN ELECTION JUDGE’S OATH.**

(2) A person may not interfere with an election official in the performance of the official duties of the election official **BY:**

(I) **INDUCING THE ELECTION OFFICIAL TO VIOLATE OR TO REFUSE TO COMPLY WITH THE OFFICIAL DUTIES OF THE ELECTION OFFICIAL OR ANY LAW OR REGULATION REGULATING THE OFFICIAL DUTIES OF THE ELECTION OFFICIAL; OR**

(II) **THREATENING, COERCING, OR INTIMIDATING THE ELECTION OFFICIAL WITH THE INTENT TO:**

1. **IMPEDE OR INTERFERE WITH THE ELECTION OFFICIAL IN THE PERFORMANCE OF THE OFFICIAL DUTIES OF THE ELECTION OFFICIAL; OR**

2. **RETALIATE AGAINST THE ELECTION OFFICIAL FOR PERFORMING THE OFFICIAL DUTIES OF THE ELECTION OFFICIAL.**

[(2)] (B) A person may not interfere with an individual lawfully present at a polling place or at the canvass of votes.

[(b)] (C) (1) **A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND IS SUBJECT TO A FINE OF NOT MORE THAN \$2,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.**

(2) A person who violates SUBSECTION (B) OF this section is guilty of a misdemeanor and is subject to a fine of not less than \$50 nor more than \$1,000 or imprisonment for not less than 3 months nor more than 1 year or both.

16-904.

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

(2) "IMMEDIATE FAMILY" MEANS:

(I) A SPOUSE, CHILD, OR PARENT; OR

(II) AN INDIVIDUAL WHO LIVES IN THE SAME RESIDENCE.

(3) "PERSONAL INFORMATION" MEANS THE FOLLOWING INFORMATION DIRECTLY RELATING TO AN INDIVIDUAL:

(I) HOME ADDRESS;

(II) HOME TELEPHONE NUMBER, PERSONAL MOBILE TELEPHONE NUMBER, OR PAGER NUMBER;

(III) PERSONAL E-MAIL ADDRESS;

(IV) A PHOTOGRAPH OF THE INDIVIDUAL;

(V) DIRECTIONS TO, PHOTOGRAPH OF, OR DESCRIPTION OF THE INDIVIDUAL'S HOME;

(VI) DIRECTIONS TO, PHOTOGRAPH OF, OR A DESCRIPTION OF AN INDIVIDUAL'S PERSONAL VEHICLE OR AN IMMEDIATE FAMILY MEMBER'S VEHICLE; AND

(VII) A DESCRIPTION OR PHOTOGRAPH OF THE LICENSE PLATE OF AN INDIVIDUAL'S PERSONAL VEHICLE OR AN IMMEDIATE FAMILY MEMBER'S VEHICLE.

(B) A PERSON MAY NOT MAKE AVAILABLE ON THE INTERNET PERSONAL INFORMATION REGARDING AN ELECTION OFFICIAL OR A MEMBER OF AN ELECTION OFFICIAL'S IMMEDIATE FAMILY IF THE PERSON KNOWS OR REASONABLY SHOULD KNOW THAT THE DISSEMINATION OF THE PERSONAL INFORMATION POSES AN IMMINENT AND SERIOUS THREAT TO THE SAFETY OF THE ELECTION OFFICIAL OR A MEMBER OF AN ELECTION OFFICIAL'S IMMEDIATE FAMILY.

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND IS SUBJECT TO A FINE OF NOT MORE THAN \$2,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.

Article – Tax – Property

1–101.

(a) In this article the following words have the meanings indicated.

(j) (1) “Department” means the State Department of Assessments and Taxation.

14–201.

(a) Except as otherwise provided in this section, an officer, former officer, employee, or former employee of the State, a county, a municipal corporation, or a taxing district may not open for public inspection valuation records, including:

(1) assessor notes and medical-related adjustments on residential worksheets or cards;

(2) commercial assessment worksheets or cards; and

(3) correspondence containing information concerning private appraisals, building costs, rental data, or business volume.

(b) (1) The Department shall permit a valuation record to be inspected by:

(i) the person whose property is the subject of the valuation record;
or

(ii) an officer of the State or a county or municipal corporation affected by the valuation record.

(2) Valuation records, including rental data or business volume, may be submitted to the Maryland Tax Court as evidence in an appeal under Subtitle 5 of this title.

(3) Residential assessment worksheets that list the property description with assigned cost rates and depreciation factors shall be available for inspection as they appear on the Department’s website.

(4) The Department shall maintain a database, available to the public on the Department’s website and searchable by individual property, that relates to the

1 valuation of single-family residential real property in the State and includes for each
2 property:

- 3 (i) The square footage of the enclosed improvements above ground;
- 4 (ii) The square footage of the completed improvements below
5 ground;
- 6 (iii) The number of bathrooms;
- 7 (iv) The number of garages; and
- 8 (v) The date of the initial assessment of the most recently completed
9 improvements assessed after July 1, 2000, under § 8–104(c)(1)(iii) of this article.

10 (c) The Department shall provide a copy of assessment worksheets and cards that
11 relate to a real property valuation:

12 (1) to the person whose property is the subject of the valuation if:

- 13 (i) the value or classification of the property is to be changed for
14 property tax purposes; and
- 15 (ii) the person requests the worksheets and cards; or

16 (2) except for income and expense statements, to any person who pays
17 property tax, if the person:

- 18 (i) seeks the worksheets and cards for other comparable property;
- 19 (ii) has a timely filed and pending appeal under Subtitle 5 of this
20 title regarding the assessment of the person's property;
- 21 (iii) identifies the comparable property by address; and
- 22 (iv) pays the reasonable fee that the Department requires for the
23 copy.

24 (d) (1) The Department may adopt regulations establishing reasonable
25 conditions for release of information contained in valuation records that directly relate to
26 descriptions of physical characteristics of and improvements to the land.

27 (2) (i) Except as provided in subparagraph (ii) of this paragraph, a fee
28 may be imposed for providing the information under this subsection.

29 (ii) A fee may not be imposed for providing to the property owner on
30 the Department's website information concerning the calculation of the assessment and

description of the property that is the subject of the assessment as required under subsection (c)(1) of this section.

14-202.

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

(2) (I) "ELECTION WORKER" MEANS AN INDIVIDUAL WHO IS EMPLOYED BY A COUNTY, A MUNICIPALITY, THE STATE BOARD OF ELECTIONS, OR A LOCAL BOARD OF ELECTIONS TO PERFORM ELECTION DUTIES.

(II) "ELECTION WORKER" DOES NOT INCLUDE AN ELECTION JUDGE, OR A TEMPORARY EMPLOYEE OF A COUNTY, A MUNICIPALITY, THE STATE BOARD OF ELECTIONS, OR A LOCAL BOARD OF ELECTIONS.

(3) "EXEMPT PARTY" MEANS A PARTY TO THE RECORD, A SETTLEMENT SERVICE, A TITLE INSURANCE COMPANY, A TITLE INSURANCE AGENCY, A MORTGAGE SERVICER OR A MORTGAGE SERVICER'S QUALIFIED AGENT, OR A LICENSED ATTORNEY WHO IS ENGAGED IN A REAL ESTATE MATTER.

(4) "IMMEDIATE FAMILY" HAS THE MEANING STATED IN § 16-904 OF THE ELECTION LAW ARTICLE.

(5) "PERSONAL INFORMATION" HAS THE MEANING STATED IN § 16-904 OF THE ELECTION LAW ARTICLE.

(B) AN ELECTION WORKER MAY SUBMIT A WRITTEN REQUEST TO THE DEPARTMENT TO REMOVE PERSONAL INFORMATION FROM A RECORD FROM THE DATABASE MADE AVAILABLE ON THE INTERNET UNDER § 14-201 OF THIS SUBTITLE IF THE INCLUSION POSES AN IMMINENT AND SERIOUS THREAT TO THE ELECTION WORKER OR THE ELECTION WORKER'S IMMEDIATE FAMILY.

(C) A REQUEST SUBMITTED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE IN THE FORM REQUIRED BY THE DEPARTMENT AND SHALL INCLUDE:

(1) A STATEMENT THAT:

(I) THE PERSONAL INFORMATION OF THE ELECTION WORKER OR THE IMMEDIATE FAMILY OF THE ELECTION WORKER HAS BEEN MADE AVAILABLE ON THE INTERNET;

1 (II) THE RELEASE OF THE PERSONAL INFORMATION POSES AN
2 IMMINENT AND SERIOUS THREAT TO THE ELECTION WORKER OR THE ELECTION
3 WORKER'S IMMEDIATE FAMILY; AND

4 (III) THE ELECTION WORKER FEARS FOR THE ELECTION
5 WORKER'S SAFETY OR THE SAFETY OF THE ELECTION WORKER'S IMMEDIATE
6 FAMILY;

7 (2) EVIDENCE OF:

8 (I) PUBLICATION OF THE PERSONAL INFORMATION ON THE
9 INTERNET; AND

10 (II) EMPLOYMENT AS AN ELECTION WORKER;

11 (3) THE ACTUAL ADDRESS THAT THE ELECTION WORKER REQUESTS
12 NOT BE INCLUDED IN THE DATABASE UNDER § 14-201 OF THIS SUBTITLE;

13 (4) A SWORN STATEMENT BY THE ELECTION WORKER THAT, TO THE
14 BEST OF THE ELECTION WORKER'S KNOWLEDGE, ALL INFORMATION CONTAINED IN
15 THE REQUEST IS TRUE;

16 (5) THE SIGNATURE OF THE ELECTION WORKER AND THE DATE ON
17 WHICH THE ELECTION WORKER SIGNED THE REQUEST; AND

18 (6) A VOLUNTARY RELEASE AND WAIVER OF ALL FUTURE CLAIMS
19 AGAINST THE STATE THAT MAY ARISE FROM THE REQUEST EXCEPT FOR A CLAIM
20 BASED ON GROSS NEGLIGENCE.

21 (D) (1) ON RECEIPT OF A REQUEST THAT CONTAINS THE INFORMATION
22 REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL:

23 (I) REVIEW THE REQUEST AND RELEASE; AND

24 (II) IF THE REQUEST AND RELEASE ARE PROPERLY COMPLETED
25 AND ACCURATE:

26 1. REDACT THE INFORMATION RELATING TO THE
27 ELECTION WORKER IN THE DATABASE UNDER § 14-201 OF THIS SUBTITLE; AND

28 2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
29 SUBSECTION, REJECT A REQUEST TO VIEW OR RELEASE A COPY OF THE REDACTED
30 INFORMATION.

1 **(2) AN EXEMPT PARTY MAY ACCESS A RECORD THAT HAS BEEN**
2 **REDACTED UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE PERSON SEEKING**
3 **ACCESS TO THE RECORD PROVIDES EVIDENCE AND AN AFFIRMATION UNDER**
4 **PENALTY OF PERJURY THAT THEY ARE AN EXEMPT PARTY.**

5 **(E) ON APPROVAL OF A REQUEST UNDER SUBSECTION (D) OF THIS SECTION,**
6 **THE INFORMATION RELATING TO THE ELECTION WORKER SHALL REMAIN**
7 **REDACTED FOR 2 YEARS FROM THE DATE THE REQUEST IS APPROVED UNLESS THE**
8 **ELECTION WORKER CANCELS THE REQUEST BEFORE THE END OF THE 2-YEAR**
9 **PERIOD.**

10 **(F) AN ELECTION WORKER MAY WITHDRAW THE REQUEST UNDER THIS**
11 **SECTION BY SUBMITTING A SIGNED REQUEST FOR WITHDRAWAL WITH THE**
12 **DEPARTMENT.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2023.