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By: **Delegates A. Jones, R. Baker, Burns, C. Davis, Dobson, Fulton, Harrison,  
Hecht, Hubers, Kirk, Nathan-Pulliam, and Paige**

Introduced and read first time: February 3, 2000

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection and Telephone Solicitation - Social Security Numbers**

3 FOR the purpose of prohibiting telephone solicitors, credit grantors, lenders, and  
4 holders of retail credit accounts who conduct certain business by telephone from  
5 requesting the social security number of the individual called or a member of the  
6 household of the individual called; providing a certain exception; allowing credit  
7 grantors, lenders, and holders of retail credit accounts to request a personal  
8 identification number; providing penalties for a violation of this Act; defining  
9 certain terms; and generally relating to a prohibition against certain persons  
10 requesting a social security number by telephone.

11 BY adding to  
12 Article - Commercial Law  
13 Section 14-1315  
14 Annotated Code of Maryland  
15 (1990 Replacement Volume and 1999 Supplement)

16 BY adding to  
17 Article - Public Utility Companies  
18 Section 8-205  
19 Annotated Code of Maryland  
20 (1998 Volume and 1999 Supplement)

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

23 **Article - Commercial Law**

24 14-1315.

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

1 (2) "CREDIT GRANTOR" HAS THE MEANING PROVIDED IN § 12-1001(B) OF  
2 THIS ARTICLE.

3 (3) "HOLDER" MEANS THE HOLDER OF A "RETAIL CREDIT ACCOUNT", AS  
4 PROVIDED IN § 12-501(I) OF THIS ARTICLE.

5 (4) "LENDER" HAS THE MEANING PROVIDED IN §§ 12-301(C) AND  
6 12-401(B) OF THIS ARTICLE.

7 (5) "RETAIL CREDIT ACCOUNT" HAS THE MEANING PROVIDED IN §  
8 12-501(L) OF THIS ARTICLE.

9 (B) (1) IN THE COURSE OF A TELEPHONE CONVERSATION CONDUCTED FOR  
10 THE PURPOSE OF DISCUSSING THE PAYMENT OR REPAYMENT OF CREDIT  
11 PREVIOUSLY EXTENDED TO THE INDIVIDUAL CALLED, A CREDIT GRANTOR, LENDER,  
12 OR HOLDER OF A RETAIL CREDIT ACCOUNT MAY NOT REQUEST:

13 (I) THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL CALLED;  
14 OR

15 (II) THE SOCIAL SECURITY NUMBER OF A MEMBER OF THE  
16 HOUSEHOLD OF THE INDIVIDUAL CALLED.

17 (2) A CREDIT GRANTOR, LENDER, OR HOLDER OF A RETAIL CREDIT  
18 ACCOUNT MAY REQUEST A PERSONAL IDENTIFICATION NUMBER PREVIOUSLY  
19 ISSUED BY THE CREDIT GRANTOR, LENDER, OR HOLDER TO THE INDIVIDUAL  
20 CALLED.

21 (C) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS GUILTY OF  
22 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE:

23 (1) NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE; AND

24 (2) NOT EXCEEDING \$5,000 FOR EACH SUBSEQUENT OFFENSE.

25 **Article - Public Utility Companies**

26 8-205.

27 (A) THIS SECTION DOES NOT APPLY TO A UNIT OF FEDERAL, STATE, OR LOCAL  
28 GOVERNMENT.

29 (B) IN THIS SECTION, "TELEPHONE SOLICITOR" MEANS A PERSON WHO USES A  
30 TELEPHONE TO:

31 (1) SOLICIT INDIVIDUALS CALLED TO PURCHASE, LEASE, OR RENT  
32 GOODS OR SERVICES;

33 (2) OFFER A GIFT OR PRIZE;

34 (3) CONDUCT A POLL;

1           (4)     REQUEST SURVEY INFORMATION, IF THE RESULTS WILL BE USED  
2 DIRECTLY TO SOLICIT PERSONS TO PURCHASE, LEASE, OR RENT GOODS OR  
3 SERVICES.

4     (C)     A TELEPHONE SOLICITOR MAY NOT REQUEST:

5           (1)     THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL WHOM THE  
6 TELEPHONE SOLICITOR CALLS; OR

7           (2)     THE SOCIAL SECURITY NUMBER OF ANY MEMBER OF THE  
8 HOUSEHOLD OF THE INDIVIDUAL CALLED.

9     (D)     A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS GUILTY OF  
10 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE:

11           (1)     NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE; AND

12           (2)     NOT EXCEEDING \$5,000 FOR EACH SUBSEQUENT OFFENSE.

13     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2000.