

# HOUSE BILL 924

I3

4r1451  
CF SB 950

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By: **Delegates Arora, Barkley, Barnes, Braveboy, Glenn, Hucker, and Kramer**

Introduced and read first time: February 5, 2014

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Consumer Protection – Monitoring Consumer Behavior and Shopping Habits**  
3 **– Required Notice**

4 FOR the purpose of prohibiting a merchant from using a wireless Internet signal or a  
5 cellular phone to monitor the behavior or shopping habits of a certain consumer  
6 unless the merchant displays, at each entrance to the merchant's business  
7 premises, a certain notice in a certain manner; providing that a violation of this  
8 Act is an unfair or deceptive trade practice under the Maryland Consumer  
9 Protection Act and is subject to certain enforcement and penalty provisions;  
10 defining certain terms; and generally relating to merchants and the use of  
11 technology to monitor consumer behavior or shopping habits.

12 BY adding to  
13 Article – Commercial Law  
14 Section 14–1324  
15 Annotated Code of Maryland  
16 (2013 Replacement Volume)

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

19 **Article – Commercial Law**

20 **14–1324.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 (2) "CONSUMER" HAS THE MEANING STATED IN § 13-101 OF THIS  
4 ARTICLE.

5 (3) "MERCHANT" HAS THE MEANING STATED IN § 13-101 OF THIS  
6 ARTICLE.

7 (B) A MERCHANT MAY NOT USE A WIRELESS INTERNET SIGNAL OR A  
8 CELLULAR PHONE TO MONITOR THE BEHAVIOR OR SHOPPING HABITS OF A  
9 CONSUMER WHO IS SHOPPING ON THE MERCHANT'S BUSINESS PREMISES  
10 UNLESS THE MERCHANT DISPLAYS AT EACH ENTRANCE TO THE MERCHANT'S  
11 BUSINESS PREMISES A NOTICE THAT CLEARLY AND CONSPICUOUSLY DISCLOSES  
12 TO THE CONSUMER THAT THE MERCHANT IS USING TECHNOLOGY TO MONITOR  
13 CONSUMER BEHAVIOR OR SHOPPING HABITS.

14 (C) A VIOLATION OF THIS SECTION:

15 (1) IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE UNDER TITLE  
16 13 OF THIS ARTICLE; AND

17 (2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY  
18 PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2014.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.