

SENATE BILL 681

I3

7lr1911

By: **Senator Ramirez**

Introduced and read first time: February 3, 2017

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Recovering of Bedding – Limitation**

3 FOR the purpose of prohibiting a person from recovering certain bedding that is intended
4 to be sold or offered for sale to a consumer in the State unless the person clearly
5 marks the bedding as used; establishing a certain penalty; defining certain terms;
6 and generally relating to a limitation on the recovering of bedding.

7 BY adding to

8 Article – Commercial Law

9 Section 14–1316

10 Annotated Code of Maryland

11 (2013 Replacement Volume and 2016 Supplement)

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

14 **Article – Commercial Law**

15 **14–1316.**

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

18 **(2) “BEDDING” MEANS A MATTRESS OR BOX SPRING THAT:**

19 **(I) IS STUFFED OR FILLED WHOLLY OR PARTLY WITH**
20 **CONCEALED MATTER; AND**

21 **(II) CAN BE USED BY AN INDIVIDUAL FOR SLEEPING OR**
22 **RECLINING.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “CONSUMER” MEANS AN ACTUAL OR A PROSPECTIVE PURCHASER**
2 **OF GOODS THAT ARE PRIMARILY FOR PERSONAL, HOUSEHOLD, OR FAMILY**
3 **PURPOSES.**

4 **(4) “USED” MEANS PREOWNED OR HAVING A COMPONENT THAT WAS**
5 **USED PREVIOUSLY FOR ANY PURPOSE.**

6 **(B) A PERSON MAY NOT RECOVER BEDDING THAT IS INTENDED TO BE SOLD**
7 **OR OFFERED FOR SALE TO A CONSUMER IN THE STATE UNLESS THE PERSON**
8 **CLEARLY MARKS THE BEDDING AS USED.**

9 **(C) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY**
10 **OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING**
11 **\$500.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2017.