

# HOUSE BILL 27

I3  
HB 1459/22 – ECM

(PRE-FILED)

3lr0862

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By: **Delegate Griffith**

Requested: November 17, 2022

Introduced and read first time: January 11, 2023

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Consumer Protection Act – Floral Wire Services**

3 FOR the purpose of requiring a floral wire service to adopt clear and concise billing  
4 practices in dealings with local florists or third-party sellers; requiring a floral wire  
5 service to disclose to a customer when the floral wire service is buying from a floral  
6 wire service and not directly from a local florist; requiring a floral wire service to  
7 provide to local florists or third-party sellers a method for submitting charge  
8 disputes; requiring a floral wire service to make all payments to local florists or  
9 third-party sellers within a certain period of time; prohibiting a floral wire service  
10 from refunding a customer payment before paying a certain balance; and generally  
11 relating to the business practices of floral wire services.

12 BY repealing and reenacting, with amendments,  
13 Article – Commercial Law  
14 Section 13-301(14)(xxxv)  
15 Annotated Code of Maryland  
16 (2013 Replacement Volume and 2022 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – Commercial Law  
19 Section 13-301(14)(xxxvi)  
20 Annotated Code of Maryland  
21 (2013 Replacement Volume and 2022 Supplement)

22 BY adding to  
23 Article – Commercial Law  
24 Section 13-301(14)(xxxvii) and 14-1327  
25 Annotated Code of Maryland  
26 (2013 Replacement Volume and 2022 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Commercial Law**

4 13–301.

5 Unfair, abusive, or deceptive trade practices include any:

6 (14) Violation of a provision of:

7 (xxxv) Section 11–210 of the Education Article; [or]

8 (xxxvi) Title 14, Subtitle 44 of this article; or

9 (xxxvii) **SECTION 14–1327 OF THIS ARTICLE; OR**

10 **14–1327.**

11 **(A) IN THIS SECTION, “FLORAL WIRE SERVICE” MEANS A BUSINESS**  
12 **ESTABLISHED TO FACILITATE ORDER EXCHANGE AND FULFILLMENT BETWEEN**  
13 **LOCAL FLORISTS OR THIRD–PARTY SALES OF FLORAL AND PLANT PRODUCTS.**

14 **(B) THIS SECTION APPLIES ONLY TO FLORAL WIRE SERVICES THAT**  
15 **CONDUCT BUSINESS IN THE STATE OR PRODUCE PRODUCTS OR SERVICES THAT ARE**  
16 **TARGETED TO RESIDENTS OF THE STATE.**

17 **(C) A FLORAL WIRE SERVICE SHALL:**

18 **(1) ADOPT CLEAR AND CONCISE BILLING PRACTICES IN DEALINGS**  
19 **WITH LOCAL FLORISTS OR THIRD–PARTY SELLERS;**

20 **(2) DISCLOSE TO THE CUSTOMER WHEN THE FLORAL WIRE SERVICE**  
21 **IS BUYING FROM A FLORAL WIRE SERVICE AND NOT DIRECTLY FROM A LOCAL**  
22 **FLORIST;**

23 **(3) PROVIDE TO LOCAL FLORISTS OR THIRD–PARTY SELLERS A**  
24 **METHOD FOR SUBMITTING CHARGE DISPUTES; AND**

25 **(4) MAKE ALL PAYMENTS TO LOCAL FLORISTS OR THIRD–PARTY**  
26 **SELLERS WITHIN 15 CALENDAR DAYS AFTER THE DATE OF DELIVERY.**

27 **(D) A FLORAL WIRE SERVICE MAY NOT REFUND PAYMENT TO A CUSTOMER**  
28 **BEFORE PAYING THE TOTAL BALANCE OWED TO THE LOCAL FLORIST OR**

1 **THIRD-PARTY SELLER.**

2 **(E) A VIOLATION OF THIS SECTION IS:**

3 **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN**  
4 **THE MEANING OF TITLE 13 OF THIS ARTICLE; AND**

5 **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**  
6 **CONTAINED IN TITLE 13 OF THIS ARTICLE.**

7 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**  
8 **1, 2023.**