

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 534
Finance

(Senator Jackson)

Economic Matters

Electronic Transactions Protection Act - Repeal

This bill repeals the Electronic Transactions Protection Act.

Fiscal Summary

State Effect: The bill does not substantively change State activities or operations, as discussed below.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Electronic Transactions Protection Act, established by Chapter 440 of 2001, defines “electronic transactions” as the use of, access to, or communication involving the Internet, World Wide Web, or wireless or similar technologies.

Under the Act, the Electronic Transaction Education, Advocacy, and Mediation Unit within the Office of the Attorney General (OAG) is charged with: (1) receiving complaints regarding the use or retention of personal information or unlawful conduct or practices in electronic transactions; (2) providing consumer information and advice about electronic transactions and privacy related laws; (3) referring complaints to the appropriate local, State, or federal agency; (4) developing information and education programs and materials; (5) identifying consumer problems and facilitating electronic commerce best practices for privacy protection; (6) promoting voluntary nonbinding arbitration and mediation of privacy-related electronic commerce disputes; (7) investigating and assisting in the

prosecution of identity theft, other privacy related crimes, and unfair and deceptive trade practices in electronic commerce transactions; and (8) assisting and coordinating the training of local, State, and federal law enforcement agencies, as appropriate, in identity theft, other privacy related crimes, and unfair and deceptive trade practices in electronic commerce transactions.

State Fiscal Effect: OAG advises that the Electronic Transaction Education, Advocacy, and Mediation Unit was never funded and that the Consumer Protection Division handles the same functions. Thus, the bill does not substantively change OAG activities or finances.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 611 (Delegate Harrison) - Economic Matters.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2024
js/jkb Third Reader - March 8, 2024

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