

SENATE BILL 797
EMERGENCY BILL

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1998 Regular Session
8r2809

By: **Senator Conway**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 19, 1998

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - Restocking Fees**

3 FOR the purpose of prohibiting merchants from charging a consumer who returns
4 merchandise purchased from the merchant a restocking or return fee that
5 exceeds certain amounts; making this Act an emergency measure; and generally
6 relating to restocking or return fees charged by merchants to consumers.

7 BY adding to

8 Article - Commercial Law

9 Section 13-319

10 Annotated Code of Maryland

11 (1990 Replacement Volume and 1997 Supplement)

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

14 **Article - Commercial Law**

15 13-319.

16 A MERCHANT MAY NOT CHARGE A CONSUMER WHO RETURNS MERCHANDISE
17 PURCHASED FROM THE MERCHANT A RESTOCKING OR RETURN FEE IN EXCESS OF:

18 (1) 10% OF THE PURCHASE PRICE OF THE MERCHANDISE, IF THE
19 PURCHASE PRICE OF THE MERCHANDISE IS LESS THAN OR EQUAL TO \$1,000; OR

20 (2) \$100, IF THE PURCHASE PRICE OF THE MERCHANDISE IS GREATER
21 THAN \$1,000.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
23 measure, is necessary for the immediate preservation of the public health and safety,
24 has been passed by a ye and nay vote supported by three-fifths of all the members
25 elected to each of the two Houses of the General Assembly, and shall take effect from
26 the date it is enacted.

