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By: **Delegate Owings (By Request)**  
Introduced and read first time: February 11, 2000  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law - Debt Collection - Debit Payments**

3 FOR the purpose of prohibiting a creditor from requiring an individual to pay for  
4 certain goods and services by allowing the creditor to debit the individual's  
5 credit card, checking account, or savings account; requiring a creditor to allow  
6 payment for certain goods and services by a certain method of payment; defining  
7 a certain term; and generally relating to the collection of payments for goods and  
8 services by creditors.

9 BY adding to  
10 Article - Commercial Law  
11 Section 15-901 and 15-902 to be under the new subtitle "Subtitle 9. Debit  
12 Payments"  
13 Annotated Code of Maryland  
14 (1990 Replacement Volume and 1999 Supplement)

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

17 **Article - Commercial Law**

18 **SUBTITLE 9. DEBIT PAYMENTS.**

19 15-901.

20 IN THIS SUBTITLE, "DEBIT PAYMENT" MEANS THE COLLECTION OF A PAYMENT  
21 BY A CREDITOR, FOR GOODS OR SERVICES PROVIDED BY THE CREDITOR TO AN  
22 INDIVIDUAL, BY DEBITING THE INDIVIDUAL'S CREDIT CARD, CHECKING ACCOUNT,  
23 OR SAVINGS ACCOUNT.

24 15-902.

25 (A) AS A CONDITION TO PROVIDING THE GOODS OR SERVICES, A CREDITOR  
26 MAY NOT REQUIRE AN INDIVIDUAL TO PAY BY DEBIT PAYMENT FOR:

1           (1)     BASIC GOODS AND SERVICES, INCLUDING GAS, ELECTRIC, WATER, OR  
2 TELEPHONE SERVICE; OR

3           (2)     GOODS OR SERVICES THAT ARE NECESSARY FOR THE INDIVIDUAL'S  
4 PRACTICE OF A TRADE OR PROFESSION.

5     (B)     A CREDITOR SHALL ALLOW PAYMENT FOR THE GOODS AND SERVICES  
6 DESCRIBED IN SUBSECTION (A) OF THIS SECTION BY A METHOD OF PAYMENT OTHER  
7 THAN DEBIT PAYMENT, INCLUDING CASH, CHECK, OR MONEY ORDER.

8     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2000.