

SENATE BILL 783

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2002 Regular Session
2lr1706
CF 2lr2812

By: **Senator Bromwell**

Introduced and read first time: February 8, 2002

Assigned to: Rules

Re-referred to: Finance, February 14, 2002

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2002

CHAPTER _____

1 AN ACT concerning

2 **Electric Companies and Gas Companies - Use of Trade Names and**
3 **Trademarks**

4 FOR the purpose of prohibiting the use of the trade name or trademark of an electric
5 company or a gas company by certain persons for certain purposes under certain
6 circumstances; providing that this Act applies to certain persons engaged in
7 certain activities relating to heating, ventilation, air-conditioning, or
8 refrigeration services, plumbing services, appliances, or home improvements;
9 providing for a delayed effective date; providing for the application of this Act;
10 and generally relating to the use of trade names and trademarks of electric
11 companies and gas companies.

12 BY adding to
13 Article - Public Utility Companies
14 Section 7-701 to be under the new subtitle "Subtitle 7. Miscellaneous
15 Provisions"
16 Annotated Code of Maryland
17 (1998 Volume and 2001 Supplement)

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

1 **Article - Public Utility Companies**

2 SUBTITLE 7. MISCELLANEOUS PROVISIONS.

3 7-701.

4 (A) THIS SECTION APPLIES TO A PERSON THAT ENGAGES IN ONE OR MORE OF
5 THE FOLLOWING ACTIVITIES:6 (1) SELLING, MARKETING, OR PROVIDING HEATING, VENTILATION,
7 AIR-CONDITIONING, OR REFRIGERATION SERVICES, AS DEFINED IN § 9A-103 OF THE
8 BUSINESS REGULATION ARTICLE, TO RESIDENTIAL OR COMMERCIAL CUSTOMERS;9 (2) SELLING, MARKETING, OR PROVIDING PLUMBING SERVICES, AS
10 DEFINED IN § 12-101 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE,
11 TO RESIDENTIAL OR COMMERCIAL CUSTOMERS;12 (3) SELLING, MARKETING, INSTALLING, MAINTAINING, OR REPAIRING
13 APPLIANCES, INCLUDING WASHERS, DRYERS, REFRIGERATORS, DISHWASHERS, AND
14 OTHER RELATED MERCHANDISE, TO OR FOR RESIDENTIAL OR COMMERCIAL
15 CUSTOMERS; OR16 (4) SELLING, MARKETING, OR PROVIDING HOME IMPROVEMENTS, AS
17 DEFINED IN § 8-101 OF THE BUSINESS REGULATION ARTICLE, TO RESIDENTIAL OR
18 COMMERCIAL CUSTOMERS.19 (B) A PERSON MAY NOT USE, AS PART OF ITS TRADE NAME OR TRADEMARK,
20 THE TRADE NAME OR TRADEMARK OF AN ELECTRIC COMPANY OR A GAS COMPANY IF
21 THE PERSON IS OWNED WHOLLY OR PARTLY, DIRECTLY OR INDIRECTLY, BY:

22 (1) THE ELECTRIC COMPANY OR THE GAS COMPANY; OR

23 (2) THE PARENT COMPANY OF THE ELECTRIC COMPANY OR THE GAS
24 COMPANY.25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
26 any trade name or trademark used on or after the effective date of this Act, regardless
27 of whether the person used the trade name or trademark prior to the effective date of
28 this Act.29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect May 1, 2003.

