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By: **Senators Stone, Della, and Hughes**  
Introduced and read first time: March 1, 2002  
Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law - Misrepresentation of Geographic Location - Prohibition**

3 FOR the purpose of prohibiting a person from misrepresenting the person's  
4 geographic location by listing a trade name, a fictitious business name, or an  
5 assumed business name in a local telephone directory or in a directory  
6 assistance database under certain circumstances; providing that a telephone  
7 company or other directory assistance service provider, or an officer or agent of  
8 a telephone company or other directory assistance service provider, may not be  
9 held liable for publishing the listing of a trade name, a fictitious business name,  
10 or an assumed business name in a directory or directory assistance database;  
11 and generally relating to misrepresentation of geographic location in a local  
12 telephone directory or in a directory assistance database.

13 BY adding to  
14 Article - Commercial Law  
15 Section 13-319  
16 Annotated Code of Maryland  
17 (2000 Replacement 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:

20 **Article - Commercial Law**

21 13-319.

22 (A) A PERSON MAY NOT MISREPRESENT THE PERSON'S GEOGRAPHIC  
23 LOCATION BY LISTING A TRADE NAME, A FICTITIOUS BUSINESS NAME, OR AN  
24 ASSUMED BUSINESS NAME IN A LOCAL TELEPHONE DIRECTORY IF:

25 (1) THE NAME MISREPRESENTS THE PERSON'S GEOGRAPHIC LOCATION;

26 (2) THE LISTING FAILS TO IDENTIFY THE PERSON'S ADDRESS,  
27 INCLUDING THE STATE;

1           (3)     CALLS TO THE LOCAL TELEPHONE NUMBER ARE ROUTINELY  
2 FORWARDED OR OTHERWISE TRANSFERRED TO A BUSINESS LOCATION THAT IS  
3 OUTSIDE THE CALLING AREA COVERED BY THE LOCAL TELEPHONE DIRECTORY; AND

4           (4)     THE PERSON'S BUSINESS LOCATION IS IN A COUNTY THAT IS NOT  
5 CONTIGUOUS TO A COUNTY IN THE CALLING AREA COVERED BY THE LOCAL  
6 TELEPHONE DIRECTORY.

7     (B)     A PERSON MAY NOT LIST A TRADE NAME, A FICTITIOUS BUSINESS NAME,  
8 OR AN ASSUMED BUSINESS NAME IN A DIRECTORY ASSISTANCE DATABASE IF:

9           (1)     THE NAME MISREPRESENTS THE PERSON'S GEOGRAPHIC LOCATION;

10          (2)     CALLS TO THE LOCAL TELEPHONE NUMBER ARE ROUTINELY  
11 FORWARDED OR OTHERWISE TRANSFERRED TO A BUSINESS LOCATION THAT IS  
12 OUTSIDE THE LOCAL CALLING AREA; AND

13          (3)     THE BUSINESS LOCATION OF THE SUPPLIER IS LOCATED IN A  
14 COUNTY THAT IS NOT CONTIGUOUS TO A COUNTY IN THE LOCAL CALLING AREA.

15     (C)     A TELEPHONE COMPANY OR OTHER DIRECTORY ASSISTANCE SERVICE  
16 PROVIDER, OR AN OFFICER OR AGENT OF A TELEPHONE COMPANY OR OTHER  
17 DIRECTORY ASSISTANCE SERVICE PROVIDER, MAY NOT BE HELD LIABLE FOR A  
18 VIOLATION OF THIS SECTION FOR PUBLISHING THE LISTING OF A TRADE NAME, A  
19 FICTITIOUS BUSINESS NAME, OR AN ASSUMED BUSINESS NAME IN A TELEPHONE  
20 DIRECTORY OR DIRECTORY ASSISTANCE DATABASE.

21     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2002.