
By: **Delegate Arnick**
Introduced and read first time: January 16, 2004
Assigned to: Economic Matters

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 geographic
4 location of a business in a local telephone directory or directory assistance
5 database; providing that a listing in a local telephone directory or directory
6 assistance database is a misrepresentation of the geographic location of a
7 business under certain circumstances; providing that this Act is not applicable
8 to a local telephone directory publisher or provider of a directory assistance
9 database under certain circumstances; and generally relating to
10 misrepresentation of geographic location in a local telephone directory or
11 directory assistance database.

12 BY adding to
13 Article - Commercial Law
14 Section 13-319
15 Annotated Code of Maryland
16 (2000 Replacement Volume and 2003 Supplement)

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

19 **Article - Commercial Law**

20 13-319.

21 (A) A PERSON MAY NOT MISREPRESENT THE GEOGRAPHIC LOCATION OF A
22 BUSINESS IN A LOCAL TELEPHONE DIRECTORY OR DIRECTORY ASSISTANCE
23 DATABASE.

24 (B) A PERSON IS CONSIDERED TO MISREPRESENT THE GEOGRAPHIC
25 LOCATION OF A BUSINESS IF:

26 (1) A LOCAL TELEPHONE DIRECTORY LISTING OR DIRECTORY
27 ASSISTANCE DATABASE ENTRY INCLUDES A GEOGRAPHIC LOCATION; AND

1 (2) THE BUSINESS IS NOT LOCATED WITHIN THE GEOGRAPHIC
2 LOCATION INDICATED.

3 (C) A LOCAL TELEPHONE DIRECTORY LISTING OR DIRECTORY ASSISTANCE
4 DATABASE ENTRY IS NOT CONSIDERED TO MISREPRESENT THE GEOGRAPHIC
5 LOCATION OF A BUSINESS IF:

6 (1) THE BUSINESS NAME INCLUDES A GEOGRAPHIC LOCATION;

7 (2) THE BUSINESS HAS MORE THAN ONE OFFICE IN THE STATE; AND

8 (3) THE BUSINESS HAS AT LEAST ONE OFFICE IN THE GEOGRAPHIC
9 LOCATION INDICATED IN THE BUSINESS NAME.

10 (D) A LOCAL TELEPHONE DIRECTORY PUBLISHER OR PROVIDER OF A
11 DIRECTORY ASSISTANCE DATABASE IS NOT LIABLE FOR A VIOLATION OF THIS
12 SECTION UNLESS:

13 (1) THE LOCAL TELEPHONE DIRECTORY PUBLISHER OR PROVIDER OF A
14 DIRECTORY ASSISTANCE DATABASE IS THE SUBJECT OF A LOCAL TELEPHONE
15 DIRECTORY LISTING OR DIRECTORY ASSISTANCE DATABASE ENTRY; AND

16 (2) THE LOCAL TELEPHONE DIRECTORY LISTING OR DIRECTORY
17 ASSISTANCE DATABASE ENTRY VIOLATES SUBSECTION (A) OF THIS SECTION.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2004.