

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 551

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “purchase” insert “except under certain circumstances”; in line 10, after “sold” insert “or issued”; in the same line, strike “may” and substitute “shall”; in the same line, strike “shall” and substitute “may”; in line 14, after “sold” insert “or issued”; in line 15, after “means;” insert “providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions;”; after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - Commercial Law

Section 13-301(14)(xx)

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)”;

in line 20, after “Section” insert “13-301(14)(xxii),”; and in the same line, after “14-1319” insert a comma.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“13-301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

(xx) Title 14, Subtitle 31 of this article, the Maryland Household Goods

(Over)

Movers Act; [or]

(XXII) SECTION 14-1319 OR § 14-1320 OF THIS ARTICLE; OR”;

in line 5, after “SOLD” insert “OR ISSUED”; in line 29, after “SELL” insert “OR ISSUE”; and in the same line, strike “3” and substitute “4”.

On page 3, in line 2, strike “3” and substitute “4”; in line 7, after “(D)” insert “UNLESS THE CHANGE BENEFITS THE CONSUMER,”; in line 8, after “PURCHASE” insert “OR ISSUANCE”; in line 9, after “SOLD” insert “OR ISSUED”; after line 11, insert:

“(F) A VIOLATION OF ANY PROVISION OF THIS SECTION:

(1) IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE; AND

(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE, EXCEPT § 13-411 OF THIS ARTICLE.”;

and in line 33, after “SELLER” insert “OR ISSUER”.

On page 4, in line 2, after “SOLD” insert “OR ISSUED”; in lines 5 and 8, in each instance, after “SOLD” insert “OR ISSUED”; in the same lines, in each instance, after “SELLER” insert “OR ISSUER”; after line 10, insert:

“(E) UNLESS THE CHANGE BENEFITS THE CONSUMER, A TERM OR CONDITION DISCLOSED UNDER SUBSECTION (B) OF THIS SECTION MAY NOT BE CHANGED AFTER THE DATE OF PURCHASE OR ISSUANCE.”;

strike in their entirety lines 11 and 12 and substitute:

“(F) A VIOLATION OF ANY PROVISION OF THIS SECTION:

(1) IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE; AND

(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE, EXCEPT § 13-411 OF THIS ARTICLE.”;

and in line 15, after "sold" insert "or issued".