
By: **Delegates Howard, Benson, Burns, Conroy, Heller, Holmes, Madaleno,
Montgomery, Patterson, Pendergrass, Smigiel, Stern, and Vaughn**
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Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - Unsolicited Transmissions to a Facsimile Device -**
3 **Private Actions**

4 FOR the purpose of authorizing a person who receives an electronic or telephonic
5 transmission made to the person's facsimile device in violation of certain
6 provisions of law to bring a certain action against a person who commits the
7 violation; authorizing the recovery of reasonable attorney's fees and damages in
8 a certain amount; and generally relating to unsolicited electronic or telephonic
9 transmissions to a facsimile device.

10 BY repealing and reenacting, with amendments,
11 Article - Commercial Law
12 Section 14-1313
13 Annotated Code of Maryland
14 (2000 Replacement Volume and 2004 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 14-1313.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) "Facsimile device" means a machine that receives and copies
21 reproductions or facsimiles of documents or photographs that have been transmitted
22 electronically or telephonically over telecommunications lines.

23 (3) (i) "Commercial solicitation" means the unsolicited electronic or
24 telephonic transmission in the State to a facsimile device to encourage a person to
25 purchase goods, realty, or services.

26 (ii) "Commercial solicitation" does not include:

