
By: **Delegates Montgomery, Barkley, Boteler, Cane, V. Clagett, Lee, Love,
Mandel, McConkey, and Taylor**

Introduced and read first time: February 11, 2005

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - Telephone Directory Listings - Intentional**
3 **Misrepresentation of Location of Business**

4 FOR the purpose of prohibiting a person from listing in a telephone directory a
5 business address, a business name, or a telephone number that intentionally
6 misrepresents where the business is actually located or operating or that the
7 business is located or operating in the same area covered by the telephone
8 directory; authorizing the Attorney General to institute a civil action against a
9 person that violates this Act to recover for the State a certain penalty; providing
10 that each prohibited listing is a separate violation; and generally relating to a
11 person that intentionally misrepresents the location of a business in a telephone
12 directory.

13 BY adding to

14 Article - Commercial Law
15 Section 14-1319
16 Annotated Code of Maryland
17 (2000 Replacement Volume and 2004 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 14-1319.

22 (A) THIS SECTION DOES NOT APPLY TO:

23 (1) A PERSON THAT DISCLOSES IN A CONSPICUOUS MANNER THAT A
24 TELEPHONE NUMBER LISTED IN A TELEPHONE DIRECTORY FORWARDS CALLS TO A
25 LOCATION OUTSIDE THE AREA COVERED BY THE TELEPHONE DIRECTORY; OR

26 (2) A TELEPHONE SERVICE PROVIDER OR A PUBLISHER OR
27 DISTRIBUTOR OF A TELEPHONE DIRECTORY, UNLESS THE TELEPHONE SERVICE

1 PROVIDER OR THE PUBLISHER OR DISTRIBUTOR OF THE TELEPHONE DIRECTORY
2 ENGAGES IN THE ACTIVITY PROHIBITED UNDER SUBSECTION (B) OF THIS SECTION
3 ON ITS OWN BEHALF.

4 (B) A PERSON MAY NOT LIST IN A TELEPHONE DIRECTORY A BUSINESS
5 ADDRESS, A BUSINESS NAME, OR A TELEPHONE NUMBER THAT INTENTIONALLY
6 MISREPRESENTS:

7 (1) WHERE THE BUSINESS IS ACTUALLY LOCATED OR OPERATING; OR

8 (2) THAT THE BUSINESS IS LOCATED OR OPERATING IN THE SAME AREA
9 COVERED BY THE TELEPHONE DIRECTORY.

10 (C) (1) THE ATTORNEY GENERAL MAY INSTITUTE A CIVIL ACTION AGAINST
11 A PERSON THAT VIOLATES THIS SECTION TO RECOVER FOR THE STATE A PENALTY
12 NOT LESS THAN \$1,000 AND NOT EXCEEDING \$10,000.

13 (2) FOR THE PURPOSES OF THIS SUBSECTION, EACH PROHIBITED
14 LISTING IS A SEPARATE VIOLATION.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2005.