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By: **Senator Britt**

Introduced and read first time: February 4, 2005

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - Return of Consumer Goods - Notice Requirements**

3 FOR the purpose of requiring a merchant that imposes a limit on the number or  
4 frequency of refunds, exchanges, or credits that the merchant will make or issue  
5 for the return of consumer goods purchased from the merchant to disclose  
6 certain information to consumers in a certain manner; requiring a merchant to  
7 provide a written statement of the merchant's return policy to a consumer on  
8 request; and generally relating to returns of consumer goods to merchants.

9 BY repealing and reenacting, without amendments,  
10 Article - Commercial Law  
11 Section 13-101(a) and (g)  
12 Annotated Code of Maryland  
13 (2000 Replacement Volume and 2004 Supplement)

14 BY adding to  
15 Article - Commercial Law  
16 Section 13-319  
17 Annotated Code of Maryland  
18 (2000 Replacement Volume and 2004 Supplement)

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

21 **Article - Commercial Law**

22 13-101.

23 (a) In this title the following words have the meanings indicated.

24 (g) "Merchant" means a person who directly or indirectly either offers or  
25 makes available to consumers any consumer goods, consumer services, consumer  
26 realty, or consumer credit.

1 13-319.

2 (A) A MERCHANT THAT IMPOSES A LIMIT ON THE NUMBER OR FREQUENCY OF  
3 REFUNDS, EXCHANGES, OR CREDITS THAT THE MERCHANT WILL MAKE OR ISSUE  
4 FOR THE RETURN OF CONSUMER GOODS PURCHASED FROM THE MERCHANT SHALL  
5 DISCLOSE THE LIMITATIONS IMPOSED:

6 (1) BY A NOTICE ATTACHED TO THE CONSUMER GOODS; OR

7 (2) ON A SIGN POSTED IN A CONSPICUOUS PLACE NEAR THE REGISTER  
8 WHERE THE CONSUMER GOODS ARE SOLD.

9 (B) A MERCHANT SHALL PROVIDE A WRITTEN STATEMENT OF THE  
10 MERCHANT'S RETURN POLICY TO A CONSUMER ON REQUEST.

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