

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**

House Bill 1275  
Economic Matters

(Delegate Montgomery, *et al.*)

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

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This bill prohibits a person from listing in a telephone directory a business address, a business name, or a telephone number that intentionally misrepresents: (1) where the business is actually located or operating; or (2) that the business is located or operating in the same area covered by the telephone directory. The Attorney General may institute a civil action against a person that violates the bill to recover for the State a \$1,000 to \$10,000 penalty. Each prohibited listing is a separate violation. The bill does not apply to: (1) a person that discloses that calls are forwarded if specified criteria are met; or (2) a telephone service provider or a publisher or distributor of a telephone directory, unless the provider, publisher, or distributor engages in a prohibited activity.

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**Fiscal Summary**

**State Effect:** The amount of any civil penalties recovered under the bill cannot be accurately predicted, but is assumed to be minimal. Assuming that the Consumer Protection Division receives fewer than 50 complaints per year stemming from this bill, any additional workload could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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## Analysis

**Current Law:** An unfair or deceptive trade practice under the Maryland Consumer Protection Act includes any false, falsely disparaging, or misleading oral or written statement, visual description, or other representation of any kind which has the capacity, tendency, or effect of deceiving or misleading consumers.

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### Additional Information

**Prior Introductions:** Similar bills were introduced during the 2004 and 2002 sessions. HB 785 of 2004 received an unfavorable report from the Economic Matters Committee. SB 887 received an unfavorable report from the Finance Committee.

**Cross File:** None.

**Information Source(s):** Office of the Attorney General (Consumer Protection Division), Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2005  
ncs/jr

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Analysis by: T. Ryan Wilson

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510