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By: **Delegates Howard, Bobo, Cardin, Conroy, Kullen, Mandel, McKee,  
Montgomery, Morhaim, Pendergrass, Stern, and V. Turner**

Introduced and read first time: February 6, 2006

Assigned to: Economic Matters

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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 that 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 that 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 (2005 Replacement Volume)

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:

