

ENROLLED BILL
-- Economic Matters/Finance --

Introduced by **Delegates Murray, Bronrott, Carter, Cryor, Franchot, Gutierrez, Heller, Hixson, Madaleno, Montgomery, Oaks, Stern, and F. Turner**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Consumer Protection - ~~Credit Card Issuers and Merchants~~ - Merchant**
3 **Contact Information for Contract Cancellation**

4 FOR the purpose of requiring a ~~credit card issuer to provide to certain cardholders~~
5 ~~certain contact information for certain merchants at a certain time; requiring~~
6 ~~certain merchants to provide to certain customers certain contact information~~
7 merchant that provides consumer goods or consumer services over the Internet
8 under a certain contract with a consumer to include in a certain place on the
9 merchant's website a toll-free telephone number that a consumer can call to
10 cancel the contract ~~and~~ or an address to which a consumer may write to cancel
11 the contract; providing that a violation of this Act is an unfair or deceptive
12 practice within the meaning of the Maryland Consumer Protection Act and is
13 subject to certain enforcement and penalty provisions; defining certain terms;
14 and generally relating to ~~merchant contact information provided to cardholders~~
15 by credit card issuers merchants that provide consumer goods and consumer

1 services over the Internet.

2 BY adding to

3 Article - Commercial Law

4 Section 14-1321

5 Annotated Code of Maryland

6 (2005 Replacement Volume)

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

9 **Article - Commercial Law**

10 14-1321.

11 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (2) "ACCOUNT" MEANS:

14 (I) A CREDIT CARD ACCOUNT;

15 (II) A DEBIT CARD ACCOUNT;

16 (III) A BANK ACCOUNT; OR

17 (IV) ANY OTHER FINANCIAL ACCOUNT.

18 ~~(2)~~ (3) "CONSUMER GOODS" HAS THE ~~SAME~~ MEANING STATED IN §
19 13-101 OF THIS ARTICLE.

20 ~~(3)~~ (4) "CONSUMER SERVICES" HAS THE ~~SAME~~ MEANING STATED IN §
21 13-101 OF THIS ARTICLE.

22 ~~(4) "CREDIT CARD ISSUER" MEANS A PERSON THAT EXTENDS TO~~
23 ~~CARDHOLDERS THE RIGHT TO USE A CREDIT CARD IN CONNECTION WITH~~
24 ~~PURCHASES OF GOODS OR SERVICES.~~

25 (5) "MERCHANT" HAS THE ~~SAME~~ MEANING STATED IN § 13-101 OF THIS
26 ARTICLE.

27 ~~(B) (1) WHEN ISSUING A CREDIT CARD STATEMENT TO A CARDHOLDER IN~~
28 ~~THE STATE, A CREDIT CARD ISSUER SHALL PROVIDE TO THE CARDHOLDER CONTACT~~
29 ~~INFORMATION FOR EACH OF THE MERCHANTS LISTED ON THE STATEMENT.~~

30 ~~(2) A MERCHANT DOING BUSINESS IN THE STATE THAT PROVIDES A~~
31 ~~BILL OR RECEIPT TO A CUSTOMER FOR CONSUMER GOODS OR CONSUMER SERVICES~~
32 ~~SHALL PROVIDE TO THE CUSTOMER CONTACT INFORMATION FOR THE MERCHANT~~
33 ~~ON THE BILL OR RECEIPT.~~

1 ~~(C)~~ THE CONTACT INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS
2 SECTION:

3 ~~(1)~~ SHALL INCLUDE A TELEPHONE NUMBER FOR THE MERCHANT THAT
4 A CONSUMER CAN CALL TO:

5 ~~(1)~~ MAKE INQUIRIES ABOUT THE CONSUMER GOODS OR
6 CONSUMER SERVICES; OR

7 ~~(1)~~ TO CANCEL A CONSUMER SERVICE; AND

8 ~~(2)~~ MAY INCLUDE THE MERCHANT'S ELECTRONIC MAIL ADDRESS.

9 (B) A MERCHANT THAT PROVIDES CONSUMER GOODS OR CONSUMER
10 SERVICES OVER THE INTERNET UNDER A CONTRACT WITH A CONSUMER THAT
11 REQUIRES THE CONSUMER TO MAKE PERIODIC PAYMENTS FOR THE CONSUMER
12 GOODS OR CONSUMER SERVICES AND ALLOWS THE MERCHANT TO COLLECT THE
13 PAYMENTS DIRECTLY FROM THE CONSUMER'S ACCOUNT SHALL INCLUDE IN A
14 PROMINENT PLACE ON ITS WEBSITE:

15 (1) A TOLL-FREE TELEPHONE NUMBER THAT A CONSUMER MAY CALL
16 TO CANCEL THE CONTRACT; AND OR

17 (2) AN ADDRESS TO WHICH A CONSUMER MAY WRITE TO CANCEL THE
18 CONTRACT.

19 ~~(D)~~ (C) A VIOLATION OF THIS SECTION IS:

20 (1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING
21 OF TITLE 13 OF THIS ARTICLE; AND

22 (2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS
23 CONTAINED IN TITLE 13 OF THIS ARTICLE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2006.