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

Introduced and read first time: February 9, 2006

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2006

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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 an address to which a consumer may write to cancel the  
11 contract; providing that a violation of this Act is an unfair or deceptive practice  
12 within the meaning of the Maryland Consumer Protection Act and is subject to  
13 certain enforcement and penalty provisions; defining certain terms; and  
14 generally relating to ~~merchant contact information provided to cardholders by~~  
15 ~~credit card issuers~~ merchants that provide consumer goods and consumer  
16 services over the Internet.

17 BY adding to

18 Article - Commercial Law

19 Section 14-1321

20 Annotated Code of Maryland

21 (2005 Replacement Volume)

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

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## Article - Commercial Law

2 14-1321.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.

5 (2) "ACCOUNT" MEANS:

6 (I) A CREDIT CARD ACCOUNT;

7 (II) A DEBIT CARD ACCOUNT;

8 (III) A BANK ACCOUNT; OR

9 (IV) ANY OTHER FINANCIAL ACCOUNT.

10 (2) (3) "CONSUMER GOODS" HAS THE ~~SAME~~ MEANING STATED IN §  
11 13-101 OF THIS ARTICLE.

12 (3) (4) "CONSUMER SERVICES" HAS THE ~~SAME~~ MEANING STATED IN §  
13 13-101 OF THIS ARTICLE.

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

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

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

22 (2) ~~A MERCHANT DOING BUSINESS IN THE STATE THAT PROVIDES A  
23 BILL OR RECEIPT TO A CUSTOMER FOR CONSUMER GOODS OR CONSUMER SERVICES  
24 SHALL PROVIDE TO THE CUSTOMER CONTACT INFORMATION FOR THE MERCHANT  
25 ON THE BILL OR RECEIPT.~~

26 (C) ~~THE CONTACT INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS  
27 SECTION:~~

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

30 (1) ~~MAKE INQUIRIES ABOUT THE CONSUMER GOODS OR  
31 CONSUMER SERVICES; OR~~

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

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

1     (B)     A MERCHANT THAT PROVIDES CONSUMER GOODS OR CONSUMER  
2 SERVICES OVER THE INTERNET UNDER A CONTRACT WITH A CONSUMER THAT  
3 REQUIRES THE CONSUMER TO MAKE PERIODIC PAYMENTS FOR THE CONSUMER  
4 GOODS OR CONSUMER SERVICES AND ALLOWS THE MERCHANT TO COLLECT THE  
5 PAYMENTS DIRECTLY FROM THE CONSUMER'S ACCOUNT SHALL INCLUDE IN A  
6 PROMINENT PLACE ON ITS WEBSITE:

7             (1)     A TOLL-FREE TELEPHONE NUMBER THAT A CONSUMER MAY CALL  
8 TO CANCEL THE CONTRACT; AND

9             (2)     AN ADDRESS TO WHICH A CONSUMER MAY WRITE TO CANCEL THE  
10 CONTRACT.

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

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

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

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