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By: **Senators Forehand, Britt, Brochin, DeGrange, Frosh, Garagiola, Green,  
Grosfeld, Jones, Kramer, Lawlah, Pinsky, Ruben, and Stone**

Introduced and read first time: March 1, 2006

Assigned to: Rules

Re-referred to: Finance, March 3, 2006

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 21, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Consumer Protection - Telephone Directories - Inclusion of Cellular**  
3                                   **Subscribers**

4 FOR the purpose of prohibiting a person from including, or causing to be included, in  
5 a telephone directory the cellular number of a cellular subscriber without the  
6 express consent of the cellular subscriber; requiring a person that obtains the  
7 consent of a cellular subscriber to take certain actions if the consent is revoked;  
8 providing that a person may not be held liable under certain provisions of this  
9 Act for inclusion of a cellular number in a telephone directory under certain  
10 circumstances; defining certain terms; and generally relating to telephone  
11 directories and cellular subscribers.

12 BY repealing and reenacting, without amendments,  
13 Article - Commercial Law  
14 Section 13-301(14)(i)  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume)

17 BY adding to  
18 Article - Commercial Law  
19 Section 13-319  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume)

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

3 **Article - Commercial Law**

4 13-301.

5 Unfair or deceptive trade practices include any:

6 (14) Violation of a provision of:

7 (i) This title;

8 13-319.

9 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
10 INDICATED.

11 (2) "CELLULAR NUMBER" MEANS THE TELEPHONE NUMBER OF A  
12 CELLULAR SUBSCRIBER IN THE STATE THROUGH CELLULAR TELEPHONE OR OTHER  
13 WIRELESS TELECOMMUNICATION SERVICE.

14 (3) "CELLULAR SUBSCRIBER" MEANS:

15 (I) AN INDIVIDUAL WHO SUBSCRIBES TO CELLULAR TELEPHONE  
16 OR OTHER WIRELESS TELECOMMUNICATION SERVICE IN THE STATE; OR

17 (II) ANY INDIVIDUAL WHO RESIDES WITH A SUBSCRIBER.

18 (4) (I) "TELEPHONE DIRECTORY" MEANS A LISTING OF NAMES,  
19 TELEPHONE NUMBERS, OR ADDRESSES PRODUCED FOR SALE OR DISTRIBUTION.

20 (II) "TELEPHONE DIRECTORY" INCLUDES:

21 1. AN INTERNET-BASED SERVICE THAT PROVIDES  
22 TELEPHONE LISTINGS ON REQUEST OF A USER;

23 2. A LISTING OF NAMES, TELEPHONE NUMBERS, OR  
24 ADDRESSES AVAILABLE ON A COMPACT DISC; AND

25 3. A LISTING OF NAMES, TELEPHONE NUMBERS, OR  
26 ADDRESSES AVAILABLE BY ANY OTHER ELECTRONIC MEANS.

27 (B) A PERSON MAY NOT INCLUDE, OR CAUSE TO BE INCLUDED, IN A  
28 TELEPHONE DIRECTORY A LISTING OF A CELLULAR NUMBER OF A CELLULAR  
29 SUBSCRIBER WITHOUT THE EXPRESS CONSENT OF THE CELLULAR SUBSCRIBER.

30 (C) A PERSON THAT OBTAINS THE CONSENT OF A CELLULAR SUBSCRIBER  
31 THAT IS SUBSEQUENTLY REVOKED:

32 (1) SHALL PROMPTLY REMOVE THE CELLULAR NUMBER FROM:

**UNOFFICIAL COPY OF SENATE BILL 999**

1 (I) THE NEXT PRINTED EDITION OF THE TELEPHONE DIRECTORY;

2 (II) THE NEXT COMPACT DISC EDITION OF THE TELEPHONE  
3 DIRECTORY; AND

4 (III) ANY ELECTRONIC FORM OF THE TELEPHONE DIRECTORY; AND

5 (2) MAY NOT BE HELD LIABLE UNDER THIS SECTION FOR INCLUSION OF  
6 THE CELLULAR NUMBER IN A TELEPHONE DIRECTORY THAT IS FINALIZED FOR  
7 PUBLICATION BEFORE THE PERSON RECEIVES THE REVOCATION.

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