

HOUSE BILL 984

I3

9lr2986

By: **Delegates Frick and Mizeur**

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Home Heating Oil Contracts – Right to Terminate or**
3 **Renegotiate**

4 FOR the purpose of requiring a person that sells home heating oil to a consumer under
5 an oral or written contract with a certain term to allow the consumer to
6 terminate or renegotiate the contract under certain circumstances; prohibiting a
7 person from imposing a fee, charge, or other penalty on a consumer who
8 exercises certain rights; and generally relating to contracts for home heating oil.

9 BY adding to

10 Article – Commercial Law

11 Section 13–320

12 Annotated Code of Maryland

13 (2005 Replacement Volume and 2008 Supplement)

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

16 **Article – Commercial Law**

17 **13–320.**

18 (A) **A PERSON THAT SELLS HOME HEATING OIL TO A CONSUMER UNDER**
19 **AN ORAL OR WRITTEN CONTRACT WITH A TERM OF MORE THAN 1 YEAR SHALL**
20 **ALLOW THE CONSUMER TO TERMINATE OR RENEGOTIATE THE CONTRACT AT**
21 **ANY TIME THE CONTRACT PRICE FOR HOME HEATING OIL EXCEEDS THE**
22 **MARKET PRICE BY MORE THAN 30%.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) A PERSON MAY NOT IMPOSE A FEE, CHARGE, OR OTHER PENALTY**
2 **ON A CONSUMER WHO EXERCISES THE CONSUMER'S RIGHTS UNDER**
3 **SUBSECTION (A) OF THIS SECTION.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2009.