

HOUSE BILL 1090

I3, C5

8lr3419

By: **Delegate Afzali**

Introduced and read first time: February 7, 2018

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Caller ID Spoofing Ban of 2018**

3 FOR the purpose of prohibiting an individual or a person from taking certain actions to
4 provide false location information when placing a telephone call; establishing a
5 certain penalty; defining a certain term; and generally relating to caller ID spoofing.

6 BY repealing and reenacting, without amendments,
7 Article – Commercial Law
8 Section 13–301(1), (14)(xxx), and (15)
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2017 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Commercial Law
13 Section 13–301(14)(xxix)
14 Annotated Code of Maryland
15 (2013 Replacement Volume and 2017 Supplement)

16 BY adding to
17 Article – Commercial Law
18 Section 13–301(14)(xxxi) and 14–1326
19 Annotated Code of Maryland
20 (2013 Replacement Volume and 2017 Supplement)

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

23 **Article – Commercial Law**

24 13–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Unfair or deceptive trade practices include any:

(1) False, falsely disparaging, or misleading oral or written statement, visual description, or other representation of any kind which has the capacity, tendency, or effect of deceiving or misleading consumers;

(14) Violation of a provision of:

(xxix) Title 19, Subtitle 7 of the Business Regulation Article; [or]

(xxx) Section 15–311.3 of the Transportation Article; or

(xxxI) SECTION 14–1326 OF THIS ARTICLE; OR

(15) Act or omission that relates to a residential building and that is chargeable as a misdemeanor under or otherwise violates a provision of the Energy Conservation Building Standards Act, Title 7, Subtitle 4 of the Public Utilities Article.

14–1326.

(A) IN THIS SECTION, “CALLER ID SPOOFING” MEANS THE PRACTICE OF USING AN APPLICATION OR OTHER TECHNOLOGY FOR A TELEPHONE TO BLOCK THE CALLER’S TRUE LOCATION AND INSTEAD SHOW A FALSE LOCATION THAT APPEARS TO BE LOCAL TO THE INDIVIDUAL RECEIVING THE CALL.

(B) AN INDIVIDUAL OR PERSON MAY NOT PERFORM CALLER ID SPOOFING WHEN CONTACTING ANOTHER INDIVIDUAL OR PERSON IN THE STATE.

(C) A VIOLATION OF THIS SECTION IS:

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.