HOUSE BILL 1481

By: **Delegate A. Johnson**
Introduced and read first time: February 15, 2024
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Credit or Debit Card Surcharges – Limitation**

3 FOR the purpose of prohibiting a retail business from charging a consumer a certain
4   surcharge in excess of the amount required to reimburse the retail business for the
5   cost of processing certain credit or debit transactions; making a violation of this Act
6   an unfair, abusive, or deceptive trade practice that is subject to enforcement and
7   penalties under the Maryland Consumer Protection Act; and generally relating to
8   surcharges for the use of credit or debit cards.

9 BY repealing and reenacting, with amendments,
10   Article – Commercial Law
11   Section 13–301(14)(xl)
12   Annotated Code of Maryland
13   (2013 Replacement Volume and 2023 Supplement)

14 BY repealing and reenacting, without amendments,
15   Article – Commercial Law
16   Section 13–301(14)(xli)
17   Annotated Code of Maryland
18   (2013 Replacement Volume and 2023 Supplement)

19 BY adding to
20   Article – Commercial Law
21   Section 13–301(14)(xlii) and 14–1328
22   Annotated Code of Maryland
23   (2013 Replacement Volume and 2023 Supplement)

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

26   **Article – Commercial Law**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
    [Brackets] indicate matter deleted from existing law.

1   13–301.

2   Unfair, abusive, or deceptive trade practices include any:

3   (14)   Violation of a provision of:

4   (xl)   Title 14, Subtitle 13 of the Public Safety Article; **[or]**

5   (xli)   Title 14, Subtitle 45 of this article; or

6   **(XLII) SECTION 14–1328 OF THIS ARTICLE; OR**

7   **14–1328.**

8   **A RETAIL BUSINESS IN THE STATE MAY NOT CHARGE A CONSUMER A**
9   **SURCHARGE FOR THE USE OF A CREDIT CARD OR A DEBIT CARD AS PAYMENT IN**
10   **EXCESS OF THE AMOUNT THAT THE RETAIL BUSINESS IS CHARGED FOR PROCESSING**
11   **THE CREDIT CARD OR DEBIT CARD TRANSACTION.**

12   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13   October 1, 2024.