

SENATE BILL 413

I3

5lr0855
CF HB 431

By: **Senator Waldstreicher**

Introduced and read first time: January 20, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Consumer Contracts – Limitations Periods**

3 FOR the purpose of prohibiting a consumer contract from setting a shorter time to bring an
4 action under or on the consumer contract than required by the law of the State; and
5 generally relating to consumer contracts.

6 BY adding to
7 Article – Commercial Law
8 Section 14–1328
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2024 Supplement)

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

13 **Article – Commercial Law**

14 **14–1328.**

15 (A) IN THIS SECTION, “CONSUMER CONTRACT” MEANS A CONTRACT
16 INVOLVING THE SALE, LEASE, OR PROVISION OF GOODS OR SERVICES THAT ARE FOR
17 PERSONAL, FAMILY, OR HOUSEHOLD PURPOSES.

18 (B) A PROVISION IN A CONSUMER CONTRACT THAT SETS A SHORTER TIME
19 TO BRING AN ACTION UNDER OR ON THE CONSUMER CONTRACT THAN REQUIRED BY
20 THE LAW OF THE STATE WHEN THE CONSUMER CONTRACT IS ISSUED OR DELIVERED
21 IS AGAINST STATE PUBLIC POLICY, ILLEGAL, AND VOID.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) IF A CONSUMER CONTRACT CONTAINS A PROVISION THAT IS ILLEGAL**
2 **UNDER THIS SECTION:**

3 **(1) A COURT MAY NOT GIVE EFFECT TO THE PROVISION; AND**

4 **(2) A DEFENSE TO LIABILITY UNDER THE CONSUMER CONTRACT MAY**
5 **NOT BE BASED ON THE SHORTER LIMITATION PERIOD.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
7 apply only prospectively and may not be applied or interpreted to have any effect on or
8 application to any contract entered into before the effective date of this Act.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2025.