

Department of Legislative Services  
Maryland General Assembly  
2025 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1348  
Economic Matters

(Delegate Amprey)

---

**Consumer Protection - Solicitation Following a Disaster - Prohibition**

---

This bill prohibits a contractor or a person acting on behalf of a contractor from soliciting or attempting to solicit a disaster victim within 48 hours after a disaster. The bill does not apply to a contractor, or a person acting on behalf of a contractor, who is engaged in an ongoing business relationship, other than mere solicitation, with a victim of a disaster before the disaster occurs. For purposes of the bill, the existence of a disaster is not contingent on the declaration of a State of Emergency by the federal government or the Governor, or a local disaster declaration, as specified. Violation of the bill is an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), subject to MCPA's civil and criminal penalty provisions.

---

**Fiscal Summary**

**State Effect:** The bill's imposition of existing penalty provisions does not have a material impact on State finances or operations. The Office of the Attorney General, Consumer Protection Division, can handle the bill's requirements with existing resources.

**Local Effect:** The bill's imposition of existing penalty provisions does not have a material impact on local government finances or operations.

**Small Business Effect:** Minimal.

---

## Analysis

### Bill Summary:

“Contractor” means a person, other than an employee of an owner, who performs (or offers or agrees to perform) any of the following for an owner:

- the addition to or alteration, conversion, improvement, modernization, remodeling, repair, or replacement of a building or part of a building (other than new construction) that is used or designed to be used as a residence or a structure adjacent to that building;
- an improvement to land adjacent to the residence;
- construction, improvement, or replacement, on land adjacent to the residence, of a driveway, fall-out shelter, fence, garage, landscaping, deck, pier, porch, or swimming pool;
- a shore erosion control project, as defined under specified provisions of the Natural Resources Article, for a residential property;
- connection, installation, or replacement in the residence of a dishwasher, disposal, or refrigerator with an icemaker to existing exposed household plumbing lines;
- installation in the residence of an awning, fire alarm, or storm window; or
- work done on individual condominium units.

“Disaster” means a serious event that causes harm to a home, building, or other structure; it includes a fire, flood, hurricane, or other natural event that causes harm.

**Current Law:** An unfair, abusive, or deceptive trade practice under MCPA includes, among other acts, any 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. The prohibition against engaging in any unfair, abusive, or deceptive trade practice encompasses the offer for or actual sale, lease, rental, loan, or bailment of any consumer goods, consumer realty, or consumer services; the extension of consumer credit; the collection of consumer debt; or the offer for or actual purchase of consumer goods or consumer realty from a consumer by a merchant whose business includes paying off consumer debt in connection with the purchase of any consumer goods or consumer realty from a consumer.

The Consumer Protection Division is responsible for enforcing MCPA and investigating the complaints of aggrieved consumers. The division may attempt to conciliate the matter, issue a cease-and-desist order, or file a civil action in court. A merchant who violates MCPA is subject to a fine of up to \$10,000 for each violation and up to \$25,000 for each repetition of the same violation. In addition to any civil penalties that may be imposed,

any person who violates MCPA is guilty of a misdemeanor and, on conviction, is subject to a fine of up to \$1,000 and/or imprisonment for up to one year.

---

### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Labor; Department of Natural Resources; Department of Legislative Services

**Fiscal Note History:** First Reader - February 28, 2025  
caw/jkb

---

Analysis by: Eric F. Pierce

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510