

**SB0094/383322/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 94  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “12–1502” and substitute “12–1503”; and after line 10, insert:

“BY renumbering

Article - Commercial Law

Section 12–1507

to be Section 12–1510, respectively

Annotated Code of Maryland

(2013 Replacement Volume and 2025 Supplement)

BY adding to

Article - Commercial Law

Section 12–1507 through 12–1509

Annotated Code of Maryland

(2013 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 12, after “That” insert “Section(s) 12–1507 of Article – Commercial Law of the Annotated Code of Maryland be renumbered to be Section(s) 12–1510, respectively.”

SECTION 2. AND BE IT FURTHER ENACTED, That”.

On page 3, strike in their entirety lines 4 through 20, inclusive.

On page 6, after line 4, insert:

“12-1507.

(A) A PROVIDER MAY NOT DIRECTLY OR INDIRECTLY PRINT, PUBLISH, DISTRIBUTE, OR BROADCAST ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENT REGARDING THE FEES, RATES, TERMS, OR CONDITIONS OF EARNED WAGE ACCESS.

(B) (1) IF FEES OR RATES OF FEES ARE ADVERTISED BY A LICENSEE, THE COMMISSIONER MAY REQUIRE THE LICENSEE TO STATE THE FEES OR RATES OF FEES FULLY AND CLEARLY IN ANY MANNER THE COMMISSIONER CONSIDERS NECESSARY TO PREVENT MISUNDERSTANDING BY A PROSPECTIVE CONSUMER.

(2) SUBJECT TO ANY CONDITION WHICH THE COMMISSIONER MAY IMPOSE TO PREVENT A FALSE IMPRESSION REGARDING THE SCOPE OR DEGREE OF PROTECTION PROVIDED BY THIS SUBTITLE, THE COMMISSIONER MAY AUTHORIZE OR REQUIRE A LICENSEE TO REFER TO THE FACT THAT THE LICENSEE IS UNDER STATE SUPERVISION IN THE ADVERTISING MATERIALS OF THE LICENSEE.

12-1508.

(A) IN GRANTING OR DENYING A CONSUMER REQUEST FOR EARNED WAGE ACCESS, A LICENSEE MAY NOT DISCRIMINATE AGAINST ANY CONSUMER ON THE BASIS OF RACE, COLOR, CREED, NATIONAL ORIGIN, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY, MARITAL STATUS, OR AGE.

(B) DENYING A REQUEST FOR EARNED WAGE ACCESS BY A CONSUMER WHO IS A MINOR IS NOT DISCRIMINATION ON THE BASIS OF AGE.

12-1509.

(A) A LICENSEE OR A PERSON EXEMPT FROM LICENSING UNDER THIS SUBTITLE IS NOT SUBJECT TO A PENALTY FOR A VIOLATION THAT ARISES BECAUSE THE LICENSEE OR PERSON EXEMPT FROM LICENSING IN GOOD FAITH:

(1) PERFORMED OR OMITTED TO PERFORM AN ACT IN CONFORMITY WITH OR IN RELIANCE ON:

(i) A WRITTEN OPINION OF THE ATTORNEY GENERAL OF MARYLAND OR A REGULATION ADOPTED BY THE COMMISSIONER;

(ii) A WRITTEN OPINION BY THE COMMISSIONER GIVEN ON REQUEST OF THE LICENSEE OR PERSON EXEMPT FROM LICENSING; OR

(iii) AN INTERPRETATION BY THE COMMISSIONER IN A WRITTEN NOTICE OR EXAMINATION REPORT; OR

(2) USED A FORM OR PROCEDURE THAT HAS BEEN APPROVED IN WRITING BY THE COMMISSIONER AND THE ATTORNEY GENERAL.

(B) THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION DO NOT APPLY TO AN ACT OR OMISSION TO ACT THAT OCCURS AFTER:

(1) THE OPINION, REGULATION, OR INTERPRETATION RELIED ON IS AMENDED, REPEALED, OR DETERMINED TO BE INVALID FOR ANY REASON BY ANY JUDICIAL OR OTHER AUTHORITY; OR

(Over)

**(2) APPROVAL FOR A FORM OR PROCEDURE IS AMENDED, RESCINDED, OR DETERMINED TO BE INVALID FOR ANY REASON BY ANY JUDICIAL OR OTHER AUTHORITY.**

**(c) THIS SECTION MAY NOT BE CONSTRUED TO:**

**(1) LIMIT THE IMPOSITION OF ANY CIVIL OR CRIMINAL PENALTY FOR A KNOWING OR WILLFUL VIOLATION OF THIS SUBTITLE; OR**

**(2) LIMIT THE POWER OF THE COMMISSIONER OR THE COURTS TO ORDER A REFUND TO A CONSUMER OF MONEY COLLECTED IN VIOLATION OF THIS SUBTITLE.**”;

and in line 5, strike “2.” And substitute “3.”.