

# HOUSE BILL 191

I3, I4

6lr1003

(PRE-FILED)

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By: **Delegate Wims**

Requested: September 29, 2025

Introduced and read first time: January 14, 2026

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2026

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Consumer Protection – Retail Transactions for Essential Consumer Goods –**  
3 **Cash Payments**

4 FOR the purpose of prohibiting a merchant, in a certain transaction, from prohibiting a  
5 person from making a cash payment to purchase ~~a~~ an essential consumer good ~~or~~  
6 ~~service~~, requiring a person to purchase ~~a~~ an essential consumer good ~~or service~~ by  
7 using a credit or debit card, or charging or collecting from a person a ~~fee~~ higher price  
8 than for an equivalent cashless transaction for making a cash payment for the  
9 purchase of ~~a~~ an essential consumer good ~~or service~~, subject to certain exceptions;  
10 establishing that a violation of this Act is an unfair, abusive, or deceptive trade  
11 practice subject to certain enforcement and penalty provisions under the Maryland  
12 Consumer Protection Act; and generally relating to retail cash transactions for  
13 essential consumer goods.

14 BY repealing and reenacting, with amendments,  
15 Article – Commercial Law  
16 Section 13–301(14)(xlvii)  
17 Annotated Code of Maryland  
18 (2025 Replacement Volume)

19 BY repealing and reenacting, without amendments,  
20 Article – Commercial Law  
21 Section 13–301(14)(xlviii)  
22 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2025 Replacement Volume)

2 BY adding to  
3 Article – Commercial Law  
4 Section 13–301(14)(xlix) and 14–1330  
5 Annotated Code of Maryland  
6 (2025 Replacement Volume)

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

9 **Article – Commercial Law**

10 13–301.

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

12 (14) Violation of a provision of:

13 (xlvii) Title 14, Subtitle 50 of this article; [or]

14 (xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

15 **(XLIX) SECTION 14–1330 OF THIS ARTICLE; OR**

16 **14–1330.**

17 **(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS**  
18 **INDICATED.**

19 **(2) “CONSUMER GOODS” HAS THE MEANING STATED IN § 13–101 OF**  
20 **THIS ARTICLE.**

21 **(3) “ESSENTIAL CONSUMER GOOD” MEANS:**

22 **(i) FOOD, INCLUDING HUMAN AND ANIMAL FOOD;**

23 **(ii) WATER, INCLUDING ICE, AND OTHER BEVERAGES;**

24 **(iii) PERSONAL HYGIENE PRODUCTS, INCLUDING TOILETRIES**  
25 **AND CLEANING PRODUCTS;**

26 **(iv) HEALTH PRODUCTS, INCLUDING MEDICINE, MEDICAL**  
27 **SUPPLIES AND EQUIPMENT, AND PERSONAL PROTECTIVE EQUIPMENT; AND**

28 **(v) FUEL.**

1           (4) ~~“MERCHANT MERCHANT”~~ HAS THE MEANING STATED IN § 13-101  
2 OF THIS ARTICLE.

3           (5) “RETAIL ESTABLISHMENT” MEANS AN ESTABLISHMENT THAT  
4 SELLS CONSUMER GOODS TO THE PUBLIC.

5           (B) (1) THIS SECTION APPLIES ONLY TO AN IN-PERSON ~~RETAIL~~  
6 TRANSACTION AT A RETAIL ESTABLISHMENT TOTALING ~~AT LEAST \$5 AND~~ LESS THAN  
7 \$300.

8           (2) THIS SECTION DOES NOT APPLY TO:

9                   (I) A TELEPHONE, MAIL, OR INTERNET TRANSACTION; ~~OR~~

10                   (II) A VENDING MACHINE OR KIOSK TRANSACTION; OR

11                   (III) A TRANSACTION WITH A MERCHANT THAT SELLS TO THE  
12 PUBLIC PRIMARILY:

13                           1. FOOD OR BEVERAGES FOR ON-PREMISES  
14 CONSUMPTION; OR

15                           2. A LIMITED VARIETY OF GOURMET OR SPECIALTY  
16 FOODS, INCLUDING CHEESES, FRUITS, NUTS, CANDY, SPICES, AND OILS.

17                   (II) ~~A TRANSACTION TO PAY TO PARK A VEHICLE IN:~~

18                           ~~1. A PARKING LOT OR GARAGE; OR~~

19                           ~~2. A METERED PARKING SPACE.~~

20           (C) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A  
21 MERCHANT MAY NOT:

22                   (1) PROHIBIT A PERSON FROM MAKING A CASH PAYMENT TO  
23 PURCHASE ~~A~~ AN ESSENTIAL CONSUMER GOOD OR SERVICE;

24                   (2) REQUIRE A PERSON TO USE A CREDIT OR DEBIT CARD TO  
25 PURCHASE ~~A~~ AN ESSENTIAL CONSUMER GOOD OR SERVICE; OR

26                   (3) CHARGE OR COLLECT FROM A PERSON A HIGHER PRICE THAN  
27 CHARGED OR COLLECTED FOR AN EQUIVALENT CASHLESS TRANSACTION, WHETHER

1 OR NOT THE DIFFERENCE IN PRICE IS DESCRIBED AS A FEE, FOR MAKING A CASH  
 2 PAYMENT FOR THE PURCHASE OF ~~A~~ AN ESSENTIAL CONSUMER GOOD ~~OR SERVICE~~.

3 (D) A MERCHANT MAY PROHIBIT A PERSON FROM MAKING A CASH PAYMENT  
 4 FOR THE PURCHASE OF A CONSUMER GOOD:

5 (1) IN A CASH DENOMINATION GREATER THAN \$20; OR

6 (2) IF THE MERCHANT:

7 (I) PROVIDES AND MAINTAINS A DEVICE ON THE PREMISES OF  
 8 THE ESTABLISHMENT THAT CONVERTS CASH INTO A PREPAID CARD THAT A PERSON  
 9 MAY USE TO PURCHASE A CONSUMER GOOD AT THE ESTABLISHMENT;

10 (II) DOES NOT CHARGE ANY FEE OR REQUIRE A DEPOSIT; AND

11 (III) IF THE DEVICE MALFUNCTIONS OR BECOMES INOPERABLE,  
 12 ACCEPTS PAYMENT IN CASH IN ACCORDANCE WITH THIS SECTION UNTIL THE  
 13 DEVICE RESUMES NORMAL OPERATIONS.

14 ~~(D)~~ (E) A VIOLATION OF THIS SECTION IS:

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

17 (2) EXCEPT AS PROVIDED IN SUBSECTION ~~(E)~~ (F) OF THIS SECTION,  
 18 SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE  
 19 13 OF THIS ARTICLE.

20 ~~(E)~~ (F) (1) SECTIONS 13-410(A) AND (B) AND 13-411 OF THIS ARTICLE  
 21 DO NOT APPLY TO A VIOLATION OF THIS SECTION.

22 (2) THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF  
 23 THE ATTORNEY GENERAL SHALL PROVIDE A MERCHANT WHO VIOLATES THIS  
 24 SECTION WITH AT LEAST TWO SEPARATE OPPORTUNITIES TO COMPLY WITH THE  
 25 REQUIREMENTS OF THIS SECTION.

26 (3) (I) A MERCHANT WHO VIOLATES THIS SECTION AFTER TWO  
 27 SEPARATE OPPORTUNITIES TO COMPLY UNDER PARAGRAPH (2) OF THIS  
 28 SUBSECTION IS SUBJECT TO A FINE NOT EXCEEDING ~~\$5,000~~ \$500 FOR EACH  
 29 VIOLATION.

1 (II) A MERCHANT WHO VIOLATES THIS SECTION AFTER HAVING  
2 BEEN FINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO A FINE  
3 NOT EXCEEDING ~~\$10,000~~ \$1,000 FOR EACH SUBSEQUENT VIOLATION.

4 (III) THE FINES PROVIDED FOR IN SUBPARAGRAPHS (I) AND (II)  
5 OF THIS PARAGRAPH:

6 1. ARE CIVIL PENALTIES RECOVERABLE IN  
7 ACCORDANCE WITH § 13-410(C) OF THIS ARTICLE; AND

8 2. SHALL BE SET IN ACCORDANCE WITH § 13-410(D) OF  
9 THIS ARTICLE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2026.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.