

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 528
Finance

(Senator Harris)

Consumer Protection - Video Streaming Services - Loudness of Commercial Advertisements

This bill prohibits a “video streaming service” from transmitting to a consumer in the State the audio of a commercial advertisement in a manner that is louder than the audio of the accompanying video programming or video content being transmitted by the video streaming service. A “video streaming service” is an entity that transmits directly to a consumer using an Internet protocol-based system: (1) video programming or video content and (2) commercial advertisements transmitted along with the video programming or the video content. A video streaming service must be considered in compliance with the bill if it complies with specified regulations adopted by the Federal Communications Commission. Violation of the bill is an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), subject to MCPA’s civil penalty provisions, except provisions that allow a private right of action. Additionally, MCPA enforcement provisions that allow a person aggrieved by an order of the Consumer Protection Division of the Office of the Attorney General (OAG) to institute any appropriate proceedings considered necessary do not apply to violations of the bill.

Fiscal Summary

State Effect: The bill’s imposition of existing penalty provisions does not have a material impact on State finances or operations. OAG’s 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: None.

Analysis

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: HB 985 (Delegate Amprey, *et al.*) - Economic Matters.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Department of Legislative Services

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me/jkb

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