



January 18, 2021

The Honorable Dereck E. Davis, Chairman
House Committee on Economic Matters
House Office Building
6 Bladen St.
Annapolis, MD 21401

RE: MD House Bill 106 (Wilson)—Oppose Unless Amended

Dear Chairman Davis and Members of the House Committee on Economic Matters:

Encore Capital Group, Inc. and its wholly-owned subsidiaries (collectively, “Encore”) submit this letter in opposition to House Bill 106, unless the definition of “automatic dialer” is amended in the bill. Given that the Supreme Court is set to issue a ruling in the coming months on what constitutes an “automatic dialer” in the case *Facebook v. Duguid*, we believe that HB 106, which creates a new definition for auto dialers, would create unnecessary complexity and confusion.

In order to avoid any conflict with the ongoing case that is before the Supreme Court, we request that the definition of automatic dialer be amended to the following:

"AUTOMATIC DIALER" MEANS AN “AUTOMATIC TELEPHONE DIALING SYSTEM” AS DEFINED UNDER THE TELEPHONE CONSUMER PROTECTION ACT, 47 U.S.C. § 227.

Thank you for your attention to this important matter. Please feel free to contact me directly at sonia.gibson@encorecapital.com for any further information.

Sincerely,

Sonia Gibson
National Government Affairs