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**HB 37 – Consumer Protection – Telephone Solicitation
(Stop the Spam Calls Act of 2023)
FAVORABLE
House Economic Matters Committee
February 9, 2023**

Good Afternoon, Chairman Wilson and Members of the House Economic Matters Committee. I am Karen Morgan, a member of the Executive Council for AARP Maryland. As you may know, AARP MD is one of the largest membership-based organizations in the Free State, encompassing almost 850,000 members. **AARP-MD supports HB 37- Consumer Protection - Telephone Solicitation (Stop the Spam Calls Act of 2023).** We thank Delegate Stewart for introducing this legislation.

HB 37 prohibits a person from using an automated system to make a call or play a recorded message without the prior express written consent of the party being called. It requires the party making these calls to make sure the caller's name and number are accurately transmitted, as specified. The bill prohibits the intentional alteration of the caller's voice if the purpose is to deceive or obtain personal information for use in an unlawful manner. The bill also limits the number of automated calls and the times during which these calls can be made. The bill generally exempts noncommercial, automated telephone calls that are for political, charitable, educational and religious purposes, as specified.

We support HB 37 because it gives Maryland citizens another tool in the arsenal against unwanted invasions by telephone. These invasions tell us about expiring warranties on cars we don't even own, lotteries that we haven't even entered, or they scare us with threats about our bank accounts or Social Security benefits. We need more tools against these invaders. HB 37 helps provide additional tools. We have some tools, but in the face of unrelenting automation, which weaponizes cold calling in the most insidious way possible, the tools we currently have are simply inadequate. For example, the National Do Not Call Registry has existed since 2003 – about 20 years – and the incidence of spam calls has only increased exponentially since then. This is not just because of technological advances like automated dialers, but because of unethical actors who know that they can ignore this list with impunity and enforcement will be fleeting, if it happens at all. Caller ID used to be a reliable tool, but these days, it conveys a false sense of security that the name and number displayed are genuine. It has become exhausting to try to determine from Caller ID which names and numbers are genuine and which are not.

At AARP MD, we do many presentations about fraud prevention. When we present this information, we invariably get comments or questions about unauthorized automated calls with an "alert" about computer malfunctions, or worse yet, about fraudulent credit card charges or bank

account withdrawals. People check caller ID to make sure the caller is genuinely who they say they are. Too often, when they call the displayed name and number, they are diverted to an unethical or, worse yet, criminal company or person. Even doing a search of company phone numbers using a computerized search engine isn't reliable, as unethical and criminal entities have found ways to distort search algorithms so that their deceptive names and numbers can rise, without context, to the top of search results.

According to a 2018 AARP national survey, over 48 billion robocalls were transmitted to the USA, with up to 40%, or 19.2 billion calls that were considered scams. Out of AARP survey respondents who said they got robocalls, 28% of respondents got 11 or more calls in a typical week. Over half of survey respondents said that when told of negative issues, they asked for more information – the perfect gateway for a scammer to entice people into divulging personal information that then becomes a vector for fraud.

That is why HB 37 is an important bill. It works with the other tools we have so that we can more effectively limit or even prevent these unwanted invaders from entering our lives. Legitimate organizations want viable, continuing relationships with prospective customers or clients. Fly-by-night, shady operators don't care and are willing to roll the dice. This bill erects a significant hurdle against that roll of the dice. Operators who intrude on Maryland citizens with unauthorized, automated calls risk being charged with an unfair, abusive, or deceptive trade practice. That's a call that all of us can live with.

AARP MD supports HB 37 and respectfully requests the House Economic Matters Committee to issue a favorable report. For questions, please contact Tammy Bresnahan, Director of Advocacy for AARP Maryland at tbresnahan@aarp.org or by calling 410-302-8451.