



LEGISLATIVE POSITION:

Letter of Information

Senate Bill 90

Commercial Law – Consumer Protection – Telephone Solicitation

Senate Finance Committee

Wednesday, February 1, 2023

Dear Chairwoman Griffith and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,400 members and federated partners working to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

Senate Bill 90 seeks to prohibit an individual from making certain telephone solicitations by, among other restrictions, requiring the prior express written consent of the called party and limiting the hours and methods in which telephone solicitations can be made. Violations of this proposed Act would be classified as an unfair, abusive, or deceptive trade practice and be subject to enforcement and penalties under the Maryland Consumer Protection Act.

The Maryland Chamber of Commerce does not have a comment on the broader policy limiting certain telephone solicitations proposed in SB 90, however, we would like to highlight at least one concern and the suggested remedy shared by Maryland businesses.

SB 90, as introduced, does not contain an exemption for communications between businesses and their current customers. Without this exemption, businesses will be prevented from engaging in common communication practices such as call or text message programs alerting customers to routine information sharing such as bill payment status, changes in account balances, or updates in company policies. Limiting communications between businesses and existing customers could severely curtail product and policy transparency and lead to longer wait times in addressing routine customer account issues.

For reference, two neighboring jurisdictions, Virginia and Washington D.C., have each passed their own versions of this legislation to prohibit unwanted or “spam” telephone solicitation. It is important to note that both pieces of legislation contained exemptions for existing customer relationships. Following suit would create a regional approach to dealing with unwanted telephone solicitation.

The Maryland Chamber of Commerce appreciates your consideration of our comments on Senate Bill 90.