



**HB 1299 - Consumer Protection - Maryland Consumer Protection Act -  
Trade or Commerce Violations**

**Committee:** Senate Finance Committee

**Date:** March 26, 2024

**Position:** Favorable with Amendments

The Maryland Bankers Association (MBA) **OPPOSES** HB 1299. This legislation expands provisions of the Maryland Consumer Protection Act to apply to any business-to-business transactions within the State of Maryland.

Section 13-103 of the Commercial Law Article states that the Maryland Consumer Protection Act is “intended to provide minimum standards for the protection of consumers in the State.” For over 50 years, the Attorney General’s Office has implemented the Maryland Consumer Protection Act to protect Maryland consumers from unlawful business practices. The injunctive relief, fines, and possible jail sentences provided for in the Act were never intended to apply to business-to-business transactions. If a business believes that they have been subject to an unfair, abusive, or deceptive trade practice by another business, they have the right to retain an attorney and seek damages in court.

If it is believed that certain commercial events should be subject to the penalties outlined in the Maryland Consumer Protection Act, then the General Assembly can pass legislation saying so, as has been done before. However, applying the Act to all commerce and trade will require the Attorney General to expend taxpayer funds to essentially take sides in a business dispute.

Accordingly, MBA urges issuance of an **UNFAVORABLE** report on HB 1299.

*The Maryland Bankers Association (MBA) represents FDIC-insured community, regional, and national banks, employing more than 26,000 Marylanders and holding more than \$209 billion in deposits in over 1,200 branches across our State. The Maryland banking industry serves customers across the State and provides an array of financial services including residential mortgage lending, business banking, estates and trust services, consumer banking, and more.*