



Maryland | Delaware | DC Press Association

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To: Finance Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: January 21, 2025

Re: **SB49 - UNFAVORABLE**

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of news media, from large metro dailies like the Washington Post and the Baltimore Sun, to hometown newspapers such as The Annapolis Capital and the Frederick News Post to publications such as The Daily Record, Baltimore Jewish Times, and online-only publications such as The Baltimore Banner, MarylandMatters.com and Baltimore Brew.

The Press Association has concerns regarding HB107, which creates additional requirements and burdens for organizations that have automatic renewals. Many, if not all, of our members utilize automatic renewal terms for their subscription products. We agree that cancellations of subscriptions should be cost-effective, timely and easy to use for both the subscriber and the organization offering the subscription.

We suggest that the bill be amended in the following ways:

Add In Temporal Proximity. On Page 2, Line 25, replace "AT THE SAME TIME AS" with "IN TEMPORAL PROXIMITY TO", so the line reads "**OR IN THE CASE OF AN OFFER CONVEYED ORALLY, IN TEMPORAL PROXIMITY TO THE REQUEST FOR CONSENT TO THE OFFER...**" This replacement language is used in New York and Oregon to capture the idea that the offer must be in context but does not interrupt the time continuum to require that the renewal language happen at the exact same time as the offer.

Additionally, we believe that providing the cancellation methods at the start of the subscription through a retainable confirmation message rather than in "VISUAL PROXIMITY TO" would be beneficial to consumers as they would have a record of the information. Several other states have this method in place. The consumer doesn't need cancellation info when signing up but should be able to easily effectuate it after and with the reminders it is included.

Add Reasonably. On Page 3, Line 5 include "REASONABLY" before "DELAY, HINDER OR OBSTRUCT THE CONSUMER'S ABILITY TO TERMINATE THE AUTOMATIC RENEWAL." This will ensure that consumers can get timely information about their data or receive additional incentives to continue the subscription. This



**We believe a strong news media is
central to a strong and open society.**

allows businesses to make a last attempt to keep the subscriber, without unduly hindering the cancellation.

Conform language to other states. Beginning in Page 3, Line 12, amend the phrase “SIMPLE, COST-EFFECTIVE AND WIDELY AVAILABLE MECHANISM” to read “COST-EFFECTIVE, TIMELY AND EASY TO USE MECHANISM.” This is the term used in multiple states, including New York, Oregon, Illinois and Virginia and would help create continuity in the standard.

Follow the FTC. We suggest eliminating Section (B)(3)(II), which runs from Page 3, Line 20 – Page 4, Line 17. This section describes the particulars of the cancellation options. Much of this section is outlier and forms of this are discussed and, in some cases, rejected in the FTC Rule that came out in 2024 but is under litigation. Since so many other states don’t have this language, it is not necessary. The key is that the mechanism must still be cost-effective, timely and easy to use. If not, it is a violation.

These changes will make the bill stronger for consumers and for businesses and we urge an unfavorable report if these changes are not incorporated.