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MAYOR

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HB 103

March 26, 2026

TO: Members of the Senate Finance Committee

FROM: Nina Themelis, Director, Mayor's Office of Government Relations

RE: House Bill 103 – Consumer Protection – Consumer Contracts – Prohibited Waiver

POSITION: FAVORABLE

Chair Beidle, Vice Chair Hayes, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 103 – Consumer Protection – Consumer Contracts – Prohibited Waiver.

Consumers in Maryland have been granted certain basic statutory rights by Congress and the General Assembly to protect against wrongful trade practices. These include statutes of limitation that preserve a consumer's ability to fully and fairly investigate the circumstances of any wrongdoing, and the extent of the harm done, before filing a lawsuit. They also include an entitlement to certain material information in specific contracts, or additional remedies such as treble damages, attorneys' fees, or statutory penalties in the event of a breach.

These rights are preserved under a body of local, state, and federal laws including Baltimore's consumer protection ordinance, the Maryland Consumer Protection Act, the Federal Truth in Lending Act, the Fair Credit Reporting Act, and the Maryland Consumer Loan Law. These laws are based on a recognition that many consumer contracts, including for personal or auto loans, leases, or home improvement, are offered to vulnerable consumers on a take or leave it basis, giving consumers little opportunity to effectively bargain. To address this inequity, these laws, and the applicable statute of limitations, level the playing field by ensuring basic rights that consumers can later vindicate in a court of law.

HB 103 ensures that businesses cannot force consumers to bargain away these basic rights in coercive, take it or leave it contracts. It safeguards the ability of consumers to access a complete array of statutory protections in vindicating their rights. It also importantly broadens this protection by striking prior exemptions that exposed thousands of consumers of regulated industries to abusive contract terms that limited their rights.

Businesses have a fundamental responsibility to operate in compliance with City, state, and federal laws that protect consumers. HB 103 simply recognizes that obligations under these laws, and the consumer rights granted, cannot be contracted away. As such, the BCA respectfully requests a **favorable** report on HB 103.

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