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February 26, 2026

TO: The Honorable J. Sandy Bartlett
Chair, Judiciary Committee

FROM: Rhea Harris
Deputy Director, Legislative Affairs, Office of the Attorney General

RE: House Bill 1258 – Child Placement Services – Advertising by Unlicensed Person - Prohibition (Support with Amendments)

The Office of the Attorney General (OAG) supports House Bill 1258 -Child Placement Services-Advertising by Licensed Person -Prohibition with an amendment. HB 1258 prohibits a person from advertising adoption services in the State, unless the person is a local department or a child placement agency licensed by the Social Services Administration. The bill authorizes (1) the Administration to notify the Attorney General of a violation and (2) the Attorney General to bring an action for damages for the violation.

The OAG supports the goal of this legislation. Unlicensed persons who advertise adoption services to Maryland families are engaging in precisely the kind of deceptive and potentially harmful commercial conduct that Maryland's consumer protection framework is designed to address. Adoption is one of the most consequential decisions a family can make, and Marylanders deserve assurance that those advertising such services are properly licensed and accountable.

However, as currently drafted, the bill places the civil penalty and enforcement provisions within the Family Law Article. The OAG respectfully requests that the Committee amend the bill to instead classify a violation of the advertising prohibition as an unfair, abusive, or deceptive trade practice under Title 13 of the Commercial Law Article. Specifically, OAG recommends adding a cross-reference to the new § 5-508 of the Family Law Article within § 13-301(14) of the Commercial Law Article.

This amendment would accomplish two important goals. First, it would vest enforcement authority more clearly and effectively within OAG's existing Consumer Protection Division, which has the infrastructure, expertise, and legal tools to investigate and prosecute deceptive advertising practices. Second, it would ensure that the full range of remedies available under the Maryland Consumer Protection Act, including civil penalties, restitution, and injunctive relief, are available to protect Maryland families harmed by unlicensed actors.

The OAG also recommends that the bill define "adoption services" to provide clarity about the scope of the advertising prohibition and to ensure consistent enforcement.

We appreciate the General Assembly's work on this important policy and welcome the opportunity to share our perspective. For the foregoing reasons, the Office of the Attorney General respectfully urges the Committee to give House Bill 1258 a favorable report with the amendment described above.