

HOUSE BILL 1348

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5lr3331

By: **Delegate Amprey**

Introduced and read first time: February 7, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Solicitation Following a Disaster – Prohibition**

3 FOR the purpose of prohibiting a contractor or person acting on behalf of a contractor from
4 soliciting or attempting to solicit a disaster victim within a certain period of time
5 after a disaster; establishing that a violation of this Act is an unfair, abusive, or
6 deceptive trade practice; and generally relating to solicitation following a disaster.

7 BY repealing and reenacting, with amendments,
8 Article – Commercial Law
9 Section 13–301(14)(xlii)
10 Annotated Code of Maryland
11 (2013 Replacement Volume and 2024 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Commercial Law
14 Section 13–301(14)(xliii)
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2024 Supplement)

17 BY adding to
18 Article – Commercial Law
19 Section 13–301(14)(xliv) and 14–1328
20 Annotated Code of Maryland
21 (2013 Replacement Volume and 2024 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Commercial Law**

25 13–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

(xlii) Section 12–6C–09.1 of the Health Occupations Article; [or]

(xliii) Title 14, Subtitle 48 of this article; or

(XLIV) SECTION 14–1328 OF THIS ARTICLE; OR

14–1328.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CONTRACTOR” MEANS A PERSON, OTHER THAN AN EMPLOYEE OF AN OWNER, WHO PERFORMS OR OFFERS OR AGREES TO PERFORM ANY OF THE FOLLOWING FOR AN OWNER:

(I) THE ADDITION TO OR ALTERATION, CONVERSION, IMPROVEMENT, MODERNIZATION, REMODELING, REPAIR, OR REPLACEMENT OF A BUILDING OR PART OF A BUILDING, OTHER THAN NEW CONSTRUCTION, THAT IS USED OR DESIGNED TO BE USED AS A RESIDENCE OR A STRUCTURE ADJACENT TO THAT BUILDING;

(II) AN IMPROVEMENT TO LAND ADJACENT TO THE RESIDENCE;

(III) CONSTRUCTION, IMPROVEMENT, OR REPLACEMENT, ON LAND ADJACENT TO THE RESIDENCE, OF A DRIVEWAY, FALL–OUT SHELTER, FENCE, GARAGE, LANDSCAPING, DECK, PIER, PORCH, OR SWIMMING POOL;

(IV) A SHORE EROSION CONTROL PROJECT, AS DEFINED UNDER § 8–1001 OF THE NATURAL RESOURCES ARTICLE, FOR A RESIDENTIAL PROPERTY;

(V) CONNECTION, INSTALLATION, OR REPLACEMENT IN THE RESIDENCE OF A DISHWASHER, DISPOSAL, OR REFRIGERATOR WITH AN ICEMAKER TO EXISTING EXPOSED HOUSEHOLD PLUMBING LINES;

(VI) INSTALLATION IN THE RESIDENCE OF AN AWNING, FIRE ALARM, OR STORM WINDOW; OR

(VII) WORK DONE ON INDIVIDUAL CONDOMINIUM UNITS.

1 **(3) (I) “DISASTER” MEANS A SERIOUS EVENT THAT CAUSES HARM**
2 **TO A HOME, BUILDING, OR OTHER STRUCTURE.**

3 **(II) “DISASTER” INCLUDES A FIRE, FLOOD, HURRICANE, OR**
4 **OTHER NATURAL EVENT THAT CAUSES HARM.**

5 **(B) THIS SECTION DOES NOT APPLY TO A CONTRACTOR, OR A PERSON**
6 **ACTING ON BEHALF OF A CONTRACTOR, WHO IS ENGAGED IN AN ONGOING BUSINESS**
7 **RELATIONSHIP, OTHER THAN MERE SOLICITATION, WITH A VICTIM OF A DISASTER**
8 **BEFORE THE DISASTER OCCURS.**

9 **(C) FOR PURPOSES OF THIS SECTION, THE EXISTENCE OF A DISASTER IS**
10 **NOT CONTINGENT ON THE DECLARATION OF A STATE OF EMERGENCY BY THE**
11 **FEDERAL GOVERNMENT OR THE GOVERNOR UNDER § 14-107 OF THE PUBLIC**
12 **SAFETY ARTICLE, OR A LOCAL DISASTER DECLARATION AS DEFINED UNDER §**
13 **14-110.5 OF THE PUBLIC SAFETY ARTICLE.**

14 **(D) A CONTRACTOR, OR A PERSON ACTING ON BEHALF OF A CONTRACTOR,**
15 **MAY NOT SOLICIT OR ATTEMPT TO SOLICIT A DISASTER VICTIM WITHIN 48 HOURS**
16 **AFTER A DISASTER.**

17 **(E) A VIOLATION OF SUBSECTION (D) OF THIS SECTION IS:**

18 **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE, AS**
19 **DEFINED UNDER TITLE 13 OF THIS ARTICLE; AND**

20 **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS OF**
21 **TITLE 13 OF THIS ARTICLE.**

22 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
23 **October 1, 2025.**