HOUSE BILL 1557

N1, I2, I1 EMERGENCY BILL 5lr3637

By: **Delegate Feldmark**
Rules suspended
Introduced and read first time: March 11, 2025
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

AN ACT concerning

Program to Protect Individuals Unemployed or Furloughed Due to Federal Actions – Establishment

FOR the purpose of establishing the Program to Protect Individuals Unemployed or Furloughed Due to Federal Actions; requiring the Maryland Department of Labor to administer the Program; establishing certain consumer protections relating to debt collection, consumer credit reporting, loan payments, payments for certain utility services, foreclosure and failure to pay rent actions, and tax sales of certain dwellings for individuals who are unemployed or furloughed as a result of certain federal actions; applying certain provisions of this Act retroactively; and generally relating to the Program to Protect Individuals Unemployed or Furloughed Due to Federal Actions.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–201, 14–1212.1(b)(2)(i) and (ii) and (c)(5), and 14–1225
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

BY adding to
Article – Commercial Law
Section 14–202.1 and 14–1212.4
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1203
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 1–101(a), (d), (i), (j), and (n), 8–101(a) and (i), 11–501(a), (c), (k), (l), and (n), and 11–601(a) and (q)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY adding to
Article – Financial Institutions
Section 5–514, 6–606.1, 9–409, 11–501(b–1), 11–522, and 11–605.1
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 1–101(a), (d), and (z)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY adding to
Article – Public Utilities
Section 7–307.5
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7–105.1(a)(1) and (8), (b–1), (q), and (s) and 8–401(a) and (d)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1(a)(12)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY adding to
Article – Real Property
Section 7–105.1(a)(12) and (13) and (b–2), 8–121, and 8–401(d–1)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY adding to
Article – State Government

Section 9–4101 through 9–4105 to be under the new subtitle "Subtitle 41. Program to Protect Individuals Unemployed or Furloughed Due to Federal Actions"
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 1–101(a) and (e)
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

BY adding to
Article – Tax – Property
Section 14–811(j)
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

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

Article – Commercial Law

14–201.

(a) In this subtitle the following words have the meanings indicated.

(b) "Collector" means a person collecting or attempting to collect an alleged debt arising out of a consumer transaction.

(c) "Consumer transaction" means any transaction involving a person seeking or acquiring real or personal property, services, money, or credit for personal, family, or household purposes.

(d) "Person" includes an individual, corporation, business trust, statutory trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal or commercial entity.

14–202.1.

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

(2) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(3) "QUALIFIED PAYMENT PLAN" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) THIS SECTION APPLIES ONLY TO A QUALIFIED INDIVIDUAL WHO SUBMITS TO A COLLECTOR:

(1) VERIFICATION THAT THE CONSUMER IS A QUALIFIED INDIVIDUAL; AND

(2) A QUALIFIED PAYMENT PLAN.

(C) A COLLECTOR:

(1) SHALL ACCEPT PARTIAL PAYMENTS FOR AN ALLEGED DEBT FROM A QUALIFIED INDIVIDUAL; AND

(2) MAY NOT:

(I) IMPOSE A LATE FEE OR PENALTY ON AN ALLEGED DEBT OWED BY A QUALIFIED INDIVIDUAL; OR

(II) REPOSSESS PROPERTY FROM A QUALIFIED INDIVIDUAL.

14–1203.

(a) Except as authorized under subsection (b) of this section, no consumer reporting agency may make any consumer report containing any of the following items of information:

(1) Bankruptcies which, from date of adjudication of the most recent bankruptcy, antedate the report by more than 10 years;

(2) Suits and judgments which, from date of entry, antedate the report by more than seven years or until the governing statute of limitations has expired, whichever is the longer period;

(3) Paid tax liens which, from date of payment, antedate the report by more than seven years;

(4) Accounts placed for collection or charged to profit and loss which antedate the report by more than seven years;

(5) Records of arrest, indictment, or conviction of crime which, from date of disposition, release, or parole, antedate the report by more than seven years; or

(6) Any other adverse item of information which antedates the report by more than seven years.

(b) The provisions of subsection (a) of this section are not applicable in the case of any consumer credit report to be used in connection with:

(1) A credit transaction involving, or which may reasonably be expected to involve, a principal amount of $150,000 or more;

(2) The underwriting of life insurance involving, or which may reasonably be expected to involve, a face amount of $150,000 or more; or

(3) The employment of any individual at an annual salary which equals, or which may reasonably be expected to equal, $75,000 or more.

(C) NO CONSUMER REPORTING AGENCY MAY MAKE ANY CONSUMER REPORT CONTAINING ADVERSE CREDIT INFORMATION FOR A CONSUMER WHILE THE CONSUMER IS A QUALIFIED INDIVIDUAL, AS DEFINED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

14–1212.1.

(b) (2) This section does not apply to:

(i) A check services or fraud prevention services company that issues:

1. Reports on incidents of fraud; or

2. Authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar payment methods;

(ii) A deposit account information service company that issues reports regarding account closures due to fraud, substantial overdrafts, automated teller machine abuse, or similar negative information regarding a consumer to inquiring banks or other financial institutions for use only in reviewing a consumer request for a deposit account at the inquiring bank or financial institution; or

(c) (5) (i) Subject to subparagraph (ii) of this paragraph, a consumer reporting agency is not required to place a security freeze on a consumer report if the consumer reporting agency:

1. Acts only as a reseller of credit information by assembling and merging information contained in a database of another consumer reporting agency or multiple consumer reporting agencies; and

2. Does not maintain a permanent database of credit information from which new consumer reports are produced.

(ii) A consumer reporting agency that acts as a reseller of credit information shall honor a security freeze placed on a consumer report by another consumer reporting agency.

14–1212.4.

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

(2) "ADVERSE INFORMATION FREEZE" MEANS A RESTRICTION PLACED ON A QUALIFIED INDIVIDUAL'S RECORD IN ACCORDANCE WITH THIS SECTION THAT PROHIBITS THE CONSUMER REPORTING AGENCY FROM ADDING ADVERSE INFORMATION TO A QUALIFIED INDIVIDUAL'S CONSUMER REPORT.

(3) "DEPARTMENT" MEANS THE MARYLAND DEPARTMENT OF LABOR.

(4) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(5) "RECORD" MEANS A COMPILATION OF INFORMATION THAT:

(I) IDENTIFIES A QUALIFIED INDIVIDUAL;

(II) IS CREATED BY A CONSUMER REPORTING AGENCY SOLELY FOR THE PURPOSE OF COMPLYING WITH THIS SECTION; AND

(III) MAY NOT BE CREATED OR USED TO CONSIDER THE QUALIFIED INDIVIDUAL'S CREDITWORTHINESS, CREDIT STANDING, CREDIT CAPACITY, CHARACTER, GENERAL REPUTATION, PERSONAL CHARACTERISTICS, OR MODE OF LIVING FOR ANY PURPOSE LISTED IN § 14–1201(E)(1) OF THIS SUBTITLE.

(B) THIS SECTION DOES NOT APPLY TO THE USE OF A QUALIFIED INDIVIDUAL'S CONSUMER REPORT OR RECORD BY:

(1) A PERSON ADMINISTERING A CREDIT FILE MONITORING SUBSCRIPTION SERVICE TO WHICH:

(I) THE QUALIFIED INDIVIDUAL HAS SUBSCRIBED; OR

(II) THE REPRESENTATIVE OF THE QUALIFIED INDIVIDUAL HAS SUBSCRIBED ON BEHALF OF THE QUALIFIED INDIVIDUAL;

(2) A PERSON PROVIDING THE QUALIFIED INDIVIDUAL A COPY OF THE QUALIFIED INDIVIDUAL'S CONSUMER REPORT ON REQUEST OF THE QUALIFIED INDIVIDUAL; OR

(3) AN ENTITY LISTED IN § 14–1212.1(B)(2)(I) OR (II) OR (C)(5) OF THIS SUBTITLE.

(C) (1) A CONSUMER REPORTING AGENCY SHALL PLACE AN ADVERSE INFORMATION FREEZE FOR A QUALIFIED INDIVIDUAL FOR WHOM THE DEPARTMENT REQUESTS AN ADVERSE INFORMATION FREEZE UNDER SUBSECTION (G) OF THIS SECTION WITHIN 30 DAYS AFTER RECEIVING THE REQUEST.

(2) IF A CONSUMER REPORTING AGENCY DOES NOT HAVE A FILE PERTAINING TO A QUALIFIED INDIVIDUAL WHEN THE CONSUMER REPORTING AGENCY RECEIVES A REQUEST FROM THE DEPARTMENT, THE CONSUMER REPORTING AGENCY SHALL CREATE A RECORD FOR THE QUALIFIED INDIVIDUAL.

(D) UNLESS AN ADVERSE INFORMATION FREEZE FOR A QUALIFIED INDIVIDUAL IS REMOVED IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION, A CONSUMER REPORTING AGENCY MAY NOT ADD ADVERSE INFORMATION TO A QUALIFIED INDIVIDUAL'S CONSUMER REPORT.

(E) AN ADVERSE INFORMATION FREEZE FOR A QUALIFIED INDIVIDUAL PLACED UNDER SUBSECTION (C) OF THIS SECTION SHALL REMAIN IN EFFECT UNTIL THE QUALIFIED INDIVIDUAL IS NO LONGER ELIGIBLE FOR THE PROGRAM TO PROTECT INDIVIDUALS UNEMPLOYED OR FURLOUGHED DUE TO FEDERAL ACTIONS ESTABLISHED UNDER TITLE 9, SUBTITLE 41 OF THE STATE GOVERNMENT ARTICLE.

(F) A CONSUMER REPORTING AGENCY MAY NOT CHARGE A FEE FOR ANY ACTION TAKEN TO COMPLY WITH THIS SECTION.

(G) (1) AT LEAST ANNUALLY, THE DEPARTMENT SHALL SEND TO EACH CONSUMER REPORTING AGENCY BY ELECTRONIC TRANSMISSION A LIST OF INDIVIDUALS WHO ARE QUALIFIED INDIVIDUALS.

(2) THE DEPARTMENT SHALL REQUEST AN ADVERSE INFORMATION FREEZE FOR EACH QUALIFIED INDIVIDUAL ON THE LIST SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON BEHALF OF THE QUALIFIED INDIVIDUAL.

(3) (I) THE DEPARTMENT SHALL SUBMIT A REQUEST FOR AN ADVERSE INFORMATION FREEZE TO A CONSUMER REPORTING AGENCY BY ELECTRONIC TRANSMISSION TO THE E–MAIL ADDRESS OF THE CONSUMER REPORTING AGENCY OR OTHER POINT OF CONTACT IN THE MANNER SPECIFIED BY THE CONSUMER REPORTING AGENCY.

(II) THE DEPARTMENT MAY ENTER INTO AN AGREEMENT WITH A CONSUMER REPORTING AGENCY CONCERNING THE TRANSMISSION OF INFORMATION BETWEEN THE DEPARTMENT AND A CONSUMER REPORTING AGENCY TO FACILITATE THE IMPLEMENTATION OF THIS SUBSECTION.

(H) A CONSUMER REPORTING AGENCY MAY REMOVE AN ADVERSE INFORMATION FREEZE FOR A QUALIFIED INDIVIDUAL OR DELETE A RECORD OF A QUALIFIED INDIVIDUAL IF THE ADVERSE INFORMATION FREEZE WAS PLACED OR THE RECORD WAS CREATED BASED ON A MATERIAL MISREPRESENTATION OF FACT BY THE QUALIFIED INDIVIDUAL.

(I) A PERSON MAY NOT REPORT ADVERSE INFORMATION THAT IS SUBJECT TO AN ADVERSE INFORMATION FREEZE UNDER THIS SECTION TO A CONSUMER REPORTING AGENCY.

(J) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE EXCLUSIVE REMEDY FOR A VIOLATION OF THIS SECTION SHALL BE A COMPLAINT FILED WITH THE COMMISSIONER UNDER § 14–1225 OF THIS SUBTITLE.

14–1225.

(a) Any consumer who has reason to believe that this subtitle, or any other law regulating consumer credit reporting, has been violated by any person may file with the Commissioner a complaint setting forth the details of an alleged violation.

(b) After receipt of the complaint, the Commissioner may inspect the pertinent books, records, letters and contracts of any agency, and of any person who has furnished information to the agency relating to the specific written complaint.

Article – Financial Institutions

1–101.

(a) In this article, unless the context clearly requires otherwise, the following words have the meanings indicated.

(d) "Banking institution" means an institution that is incorporated under the laws of this State as a State bank, trust company, or savings bank.

(i) "Credit union" means a credit union that is incorporated under the laws of this State as a credit union.

(j) "Financial institution" means any financial institution of the type supervised under this article, whether or not State–chartered.

(n) "Mortgage" includes a deed of trust that secures a debt or the performance of an obligation.

5–514.

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

(2) "CONVENTIONAL HOME MORTGAGE LOAN" HAS THE MEANING STATED IN § 11–501 OF THIS ARTICLE.

(3) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(4) "QUALIFIED PAYMENT PLAN" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) THIS SECTION APPLIES ONLY TO A BANKING INSTITUTION THAT MADE A CONVENTIONAL HOME MORTGAGE LOAN TO A QUALIFIED INDIVIDUAL WHO SUBMITS TO THE BANKING INSTITUTION:

(1) VERIFICATION THAT THE CUSTOMER IS A QUALIFIED INDIVIDUAL; AND

(2) A QUALIFIED PAYMENT PLAN TO PAY ANY MISSED PAYMENTS FOR THE BORROWER'S MORTGAGE AFTER THE BORROWER IS NO LONGER A QUALIFIED INDIVIDUAL.

(C) A BANKING INSTITUTION:

(1) SHALL ACCEPT FROM A QUALIFIED INDIVIDUAL A PARTIAL PAYMENT OF ANY LOAN PAYMENTS DUE; AND

(2) MAY NOT IMPOSE A LATE FEE OR PENALTY ON A QUALIFIED INDIVIDUAL FOR THE NONPAYMENT OF THE QUALIFIED INDIVIDUAL'S MORTGAGE.

6–606.1.

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

(2) "CONVENTIONAL HOME MORTGAGE LOAN" HAS THE MEANING STATED IN § 11–501 OF THIS ARTICLE.

(3) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(4) "QUALIFIED PAYMENT PLAN" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) THIS SECTION APPLIES ONLY TO A CREDIT UNION THAT MADE A CONVENTIONAL HOME MORTGAGE LOAN TO A QUALIFIED INDIVIDUAL WHO SUBMITS TO THE CREDIT UNION:

(1) VERIFICATION THAT THE CUSTOMER IS A QUALIFIED INDIVIDUAL; AND

(2) A QUALIFIED PAYMENT PLAN TO PAY ANY MISSED PAYMENTS FOR THE BORROWER'S MORTGAGE AFTER THE BORROWER IS NO LONGER A QUALIFIED INDIVIDUAL.

(C) A CREDIT UNION:

(1) SHALL ACCEPT FROM A QUALIFIED INDIVIDUAL A PARTIAL PAYMENT OF ANY LOAN PAYMENT DUE; AND

(2) MAY NOT IMPOSE A LATE FEE OR PENALTY ON A QUALIFIED INDIVIDUAL FOR THE NONPAYMENT OF THE QUALIFIED INDIVIDUAL'S MORTGAGE.

8–101.

(a) In this title and in Title 9, the following words have the meanings indicated.

(i) "Savings and loan association" or "association" means, unless the context clearly requires otherwise, a corporation that is chartered under the laws of this State as a savings and loan association.

9–409.

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

(2) "CONVENTIONAL HOME MORTGAGE LOAN" HAS THE MEANING STATED IN § 11–501 OF THIS ARTICLE.

(3) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(4) "QUALIFIED PAYMENT PLAN" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) THIS SECTION APPLIES ONLY TO A SAVINGS AND LOAN ASSOCIATION THAT MADE A CONVENTIONAL HOME MORTGAGE LOAN TO A QUALIFIED INDIVIDUAL WHO SUBMITS TO THE SAVINGS AND LOAN ASSOCIATION:

(1) VERIFICATION THAT THE CUSTOMER IS A QUALIFIED INDIVIDUAL; AND

(2) A QUALIFIED PAYMENT PLAN TO PAY ANY MISSED PAYMENTS FOR THE BORROWER'S MORTGAGE AFTER THE BORROWER IS NO LONGER A QUALIFIED INDIVIDUAL.

(C) A SAVINGS AND LOAN ASSOCIATION:

(1) SHALL ACCEPT FROM A QUALIFIED INDIVIDUAL A PARTIAL PAYMENT OF ANY LOAN PAYMENT DUE; AND

(2) MAY NOT IMPOSE A LATE FEE OR PENALTY ON A QUALIFIED INDIVIDUAL FOR THE NONPAYMENT OF THE QUALIFIED INDIVIDUAL'S MORTGAGE.

11–501.

(a) In this subtitle the following words have the meanings indicated.

(B–1) (1) "CONVENTIONAL HOME MORTGAGE LOAN" MEANS ANY LOAN PRIMARILY FOR PERSONAL, FAMILY, OR HOUSEHOLD USE THAT IS SECURED BY A MORTGAGE, DEED OF TRUST, OR OTHER EQUIVALENT CONSENSUAL SECURITY INTEREST ON A DWELLING OR RESIDENTIAL REAL ESTATE ON WHICH A DWELLING IS CONSTRUCTED OR INTENDED TO BE CONSTRUCTED.

(2) "CONVENTIONAL HOME MORTGAGE LOAN" DOES NOT INCLUDE A LOAN THAT IS INSURED OR GUARANTEED BY THE FEDERAL GOVERNMENT.

(c) (1) "Dwelling" means a residential structure or mobile home that contains one to four family housing units or individual units of condominiums or cooperatives.

(2) "Dwelling" does not include a residential structure or mobile home unless the residential structure or mobile home, or at least one unit contained in the residential structure or mobile home, is owner–occupied.

(k) (1) "Mortgage lender" means any person who:

(i) Is a mortgage broker;

(ii) Makes a mortgage loan to any person; or

(iii) Is a mortgage servicer.

(2) "Mortgage lender" does not include:

(i) A financial institution that accepts deposits and is regulated under Title 3, Title 4, Title 5, or Title 6 of this article;

(ii) The Federal Home Loan Mortgage Corporation;

(iii) The Federal National Mortgage Association;

(iv) The Government National Mortgage Association;

(v) Any person engaged exclusively in the acquisition of all or any portion of a mortgage loan under any federal, State, or local governmental program of mortgage loan purchases; or

(vi) An affiliated insurance producer–mortgage loan originator licensed under § 11–603.1 of this title.

(l) (1) "Mortgage lending business" means the activities set forth in the definition of "mortgage lender" in subsection (k) of this section which require that person to be licensed under this subtitle.

(2) "Mortgage lending business" includes the making or procuring of mortgage loans secured by a dwelling or residential real estate located outside Maryland.

(n) "Mortgage loan originator" has the meaning stated in § 11–601 of this title.

11–522.

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

(2) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(3) "QUALIFIED PAYMENT PLAN" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) THIS SECTION APPLIES ONLY TO A MORTGAGE LENDER OR MORTGAGE LENDING BUSINESS THAT MADE A CONVENTIONAL HOME MORTGAGE LOAN TO A QUALIFIED INDIVIDUAL WHO SUBMITS TO THE MORTGAGE LENDER OR MORTGAGE LENDING BUSINESS:

(1) VERIFICATION THAT THE CUSTOMER IS A QUALIFIED INDIVIDUAL; AND

(2) A QUALIFIED PAYMENT PLAN TO PAY ANY MISSED PAYMENTS FOR THE BORROWER'S MORTGAGE AFTER THE BORROWER IS NO LONGER A QUALIFIED INDIVIDUAL.

(C) A MORTGAGE LENDER OR MORTGAGE LENDING BUSINESS:

(1) SHALL ACCEPT FROM A QUALIFIED INDIVIDUAL A PARTIAL PAYMENT OF ANY LOAN PAYMENT DUE; AND

(2) MAY NOT IMPOSE A LATE FEE OR PENALTY ON A QUALIFIED INDIVIDUAL FOR THE NONPAYMENT OF THE QUALIFIED INDIVIDUAL'S MORTGAGE.

11–601.

(a) In this subtitle the following words have the meanings indicated.

(q) (1) "Mortgage loan originator" means an individual who for compensation or gain, or in the expectation of compensation or gain:

(i) Takes a loan application; or

(ii) Offers or negotiates terms of a mortgage loan.

(2) "Mortgage loan originator" does not include an individual who:

(i) Acts solely as a mortgage loan processor or underwriter;

(ii) Performs only real estate brokerage activities and is licensed in accordance with Title 17 of the Business Occupations and Professions Article, unless the individual is compensated by a mortgage lender, mortgage broker, or other mortgage loan originator or by any agent of a mortgage lender, mortgage broker, or other mortgage loan originator;

(iii) Is involved solely in extensions of credit relating to timeshare plans, as that term is defined in 11 U.S.C. § 101(53D); or

(iv) Is a retailer of mobile homes or an employee of the retailer if the retailer or employee, as applicable, does not receive, directly or indirectly, compensation or gain for engaging in activities described in paragraph (1) of this subsection that is in excess of compensation or gain received in a comparable cash transaction.

11–605.1.

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

(2) "CONVENTIONAL HOME MORTGAGE LOAN" HAS THE MEANING STATED IN § 11–501 OF THIS TITLE.

(3) "DWELLING" HAS THE MEANING STATED IN § 11–501 OF THIS TITLE.

(4) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(5) "QUALIFIED PAYMENT PLAN" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) THIS SECTION APPLIES ONLY TO A MORTGAGE LOAN ORIGINATOR THAT MADE A CONVENTIONAL HOME MORTGAGE LOAN TO A QUALIFIED INDIVIDUAL WHO SUBMITS TO THE MORTGAGE LOAN ORIGINATOR:

(1) VERIFICATION THAT THE CUSTOMER IS A QUALIFIED INDIVIDUAL; AND

(2) A QUALIFIED PAYMENT PLAN TO PAY ANY MISSED PAYMENTS FOR THE BORROWER'S MORTGAGE AFTER THE BORROWER IS NO LONGER A QUALIFIED INDIVIDUAL.

(C) A MORTGAGE LOAN ORIGINATOR:

(1) SHALL ACCEPT FROM A QUALIFIED INDIVIDUAL A PARTIAL PAYMENT OF ANY LOAN PAYMENT DUE; AND

(2) MAY NOT IMPOSE A LATE FEE OR PENALTY ON A QUALIFIED INDIVIDUAL FOR THE NONPAYMENT OF THE QUALIFIED INDIVIDUAL'S MORTGAGE.

Article – Public Utilities

1–101.

(a) In this division the following words have the meanings indicated.

(d) "Commission" means the Public Service Commission.

(z) (1) "Public service company" means a common carrier company, electric company, gas company, sewage disposal company, telegraph company, telephone company, water company, or any combination of public service companies.

(2) "Public service company" does not include:

(i) a campground that provides water, electric, gas, sewage, or telephone service to campers incident to the campground's primary business of operating and maintaining the campground; or

(ii) a person that owns or operates equipment used for charging electric vehicles, including a person that owns or operates:

1. an electric vehicle charging station;

2. electric vehicle supply equipment; or

3. an electric vehicle charging station service company or provider.

7–307.5.

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

(2) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(3) "QUALIFIED PAYMENT PLAN" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) A PUBLIC SERVICE COMPANY MAY NOT TERMINATE ELECTRIC OR GAS SERVICE OR ASSESS A LATE FEE, PENALTY, OR INTEREST TO A CUSTOMER WHO IS A QUALIFIED INDIVIDUAL FOR NONPAYMENT IF THE CUSTOMER CONTACTS THE PUBLIC SERVICE COMPANY BEFORE THE DATE OF TERMINATION TO:

(1) PROVIDE VERIFICATION THAT THE CUSTOMER IS A QUALIFIED INDIVIDUAL; AND

(2) ENTER INTO A QUALIFIED PAYMENT PLAN TO PAY ANY OUTSTANDING AMOUNT ON THE CUSTOMER'S ACCOUNT AFTER THE CUSTOMER IS NO LONGER A QUALIFIED INDIVIDUAL.

(C) IF A PUBLIC SERVICE COMPANY TERMINATES, FOR ANY REASON, THE ELECTRIC OR GAS SERVICE OF A CUSTOMER WHO IS A QUALIFIED INDIVIDUAL, THE COMPANY SHALL RESTORE THE SERVICE.

(D) A PUBLIC SERVICE COMPANY SHALL ACCEPT PARTIAL PAYMENT OF A CHARGE FOR ELECTRIC OR GAS SERVICE FROM A QUALIFIED INDIVIDUAL.

(E) IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF LABOR, THE COMMISSION MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

Article – Real Property

7–105.1.

(a) (1) In this section the following words have the meanings indicated.

(8) "Owner–occupied residential property" means residential property in which at least one unit is occupied by an individual who:

(i) Has an ownership interest in the property; and

(ii) Uses the property as the individual's primary residence.

(12) "QUALIFIED INDIVIDUAL" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(13) "QUALIFIED LANDLORD" HAS THE MEANING STATED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

[(12)**] (14)** "Residential property" means real property improved by four or fewer single family dwelling units that are designed principally and are intended for human habitation.

(b–1) (1) This subsection applies only to an action for the foreclosure of a mortgage or deed of trust on an owner–occupied residential property.

(2) Notwithstanding any other law, the court shall stay the proceedings if the defendant presents evidence satisfactory to the court that the defendant is:

(i) An employee of the federal or State government or an employee of a local government in the State; and

(ii) Involuntarily furloughed from work without pay because of a government shutdown, regardless of whether the employee is required to report to work during the furlough.

(3) (i) Subject to subparagraph (ii) of this paragraph, a stay under this subsection shall be granted for a time that the court considers reasonable.

(ii) A stay under this subsection may not be granted for a period that ends more than 30 days after the end of the government shutdown without a showing of sufficient cause by a party to the action.

(B–2) (1) THIS SUBSECTION APPLIES ONLY TO AN ACTION FOR THE FORECLOSURE OF A MORTGAGE OR DEED OF TRUST ON A RESIDENTIAL PROPERTY THAT IS:

(I) OWNER–OCCUPIED OR LEASED TO A TENANT; AND

(II) OWNED BY A QUALIFIED LANDLORD OR A QUALIFIED INDIVIDUAL.

(2) NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL STAY THE PROCEEDINGS IF THE DEFENDANT PRESENTS TO THE COURT VERIFICATION FROM THE MARYLAND DEPARTMENT OF LABOR THAT THE DEFENDANT IS A QUALIFIED LANDLORD OR A QUALIFIED INDIVIDUAL.

(3) A STAY UNDER THIS SUBSECTION SHALL BE GRANTED UNTIL A DATE AFTER THE DEFENDANT IS NO LONGER ELIGIBLE TO BE A QUALIFIED LANDLORD OR QUALIFIED INDIVIDUAL THAT THE COURT CONSIDERS REASONABLE.

(q) An action for failure to comply with the provisions of this section shall be brought within 3 years after the date of the order ratifying the sale.

(s) The Commissioner of Financial Regulation may adopt additional regulations necessary to carry out the requirements of this section.

8–121.

(A) THIS SECTION APPLIES ONLY TO A TENANT OF A RESIDENTIAL PROPERTY WHO IS A QUALIFIED INDIVIDUAL, AS DEFINED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(B) A TENANT SHALL:

(1) ADHERE TO A QUALIFIED PAYMENT PLAN, AS DEFINED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE; AND

(2) PROVIDE VERIFICATION FROM THE MARYLAND DEPARTMENT OF LABOR WHEN:

(I) THE TENANT IS DECLARED A QUALIFIED INDIVIDUAL; OR

(II) THE TENANT'S STATUS AS A QUALIFIED INDIVIDUAL TERMINATES.

(C) A LANDLORD:

(1) MAY NOT IMPOSE A LATE FEE OR PENALTY ON A TENANT WHO IS A QUALIFIED INDIVIDUAL;

(2) SHALL ACCEPT PARTIAL PAYMENT FOR:

(I) UNPAID RENT; OR

(II) A LATE FEE OR PENALTY IMPOSED ON A TENANT BEFORE THE TENANT BECAME A QUALIFIED INDIVIDUAL; AND

(3) SHALL ACCEPT A QUALIFIED PAYMENT PLAN SUBMITTED BY A TENANT FOR UNPAID RENT OR A LATE FEE OR PENALTY.

8–401.

(a) Whenever the tenant or tenants fail to pay the rent when due and payable, it shall be lawful for the landlord to have again and repossess the premises in accordance with this section.

(d) (1) This subsection applies only to an action for the repossession of residential property for failure to pay rent due during a government shutdown.

(2) Notwithstanding any other law, the court shall stay the proceeding if the tenant or an occupant of the property that is the subject of the proceeding presents evidence satisfactory to the court that the occupant:

(i) Uses the property as the individual's primary residence;

(ii) Is an employee of the federal or State government or an employee of a local government in the State; and

(iii) Is involuntarily furloughed from work without pay because of a government shutdown, regardless of whether the employee is required to report to work during the furlough.

(3) (i) Subject to subparagraph (ii) of this paragraph, a stay under this subsection shall be granted for a time that the court considers reasonable.

(ii) A stay under this subsection may not be granted for a period that ends more than 30 days after the end of the government shutdown without a showing of sufficient cause by a party to the action.

(D–1) (1) THIS SUBSECTION APPLIES ONLY TO AN ACTION FOR THE REPOSSESSION OF RESIDENTIAL PROPERTY FOR FAILURE TO PAY RENT DUE BY A TENANT WHO IS A QUALIFIED INDIVIDUAL, AS DEFINED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

(2) NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL STAY THE PROCEEDING IF THE TENANT OR AN OCCUPANT OF THE PROPERTY THAT IS THE SUBJECT OF THE PROCEEDING PRESENTS TO THE COURT VERIFICATION FROM THE MARYLAND DEPARTMENT OF LABOR THAT THE OCCUPANT IS A QUALIFIED INDIVIDUAL.

(3) A STAY UNDER THIS SUBSECTION SHALL BE GRANTED UNTIL A DATE AFTER THE DEFENDANT LOSES STATUS AS A QUALIFIED LANDLORD OR QUALIFIED INDIVIDUAL THAT THE COURT CONSIDERS REASONABLE.

Article – State Government

SUBTITLE 41. PROGRAM TO PROTECT INDIVIDUALS UNEMPLOYED OR FURLOUGHED DUE TO FEDERAL ACTIONS.

9–4101.

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

(B) "DEPARTMENT" MEANS THE MARYLAND DEPARTMENT OF LABOR.

(C) "PROGRAM" MEANS THE PROGRAM TO PROTECT INDIVIDUALS UNEMPLOYED OR FURLOUGHED DUE TO FEDERAL ACTIONS.

(D) (1) "QUALIFIED FURLOUGHED INDIVIDUAL" MEANS AN EMPLOYEE OF THE FEDERAL GOVERNMENT DURING A FEDERAL GOVERNMENT SHUTDOWN THAT LASTS FOR A PERIOD OF 30 DAYS OR MORE.

(2) AN INDIVIDUAL MAY NOT BE CONSIDERED A "QUALIFIED FURLOUGHED INDIVIDUAL" IF THE FEDERAL GOVERNMENT IS NOT SHUT DOWN.

(E) "QUALIFIED INDIVIDUAL" MEANS A QUALIFIED FURLOUGHED INDIVIDUAL OR A QUALIFIED UNEMPLOYED INDIVIDUAL.

(F) "QUALIFIED LANDLORD" MEANS A LANDLORD WHO LEASES A RESIDENTIAL PROPERTY TO A QUALIFIED INDIVIDUAL.

(G) "QUALIFIED PAYMENT PLAN" MEANS AN INTEREST–FREE PAYMENT PLAN THAT ALLOWS A QUALIFIED INDIVIDUAL TO REPAY AN OUTSTANDING BALANCE, FEE, OR OTHER MONEY OWED OVER A PERIOD OF 2 YEARS.

(H) (1) "QUALIFIED UNEMPLOYED INDIVIDUAL" MEANS AN INDIVIDUAL WHO IS UNEMPLOYED DIRECTLY OR INDIRECTLY DUE TO PERSONNEL ACTIONS BY THE FEDERAL GOVERNMENT OR CHANGES IN THE FEDERAL GOVERNMENT'S BUDGET, CONTRACTS, OR FUNDING THAT OCCURRED ON OR AFTER JANUARY 20, 2025.

(2) "QUALIFIED UNEMPLOYED INDIVIDUAL" INCLUDES:

(I) A FORMER OR FURLOUGHED FEDERAL CONTRACTOR;

(II) A FORMER EMPLOYEE OF A BUSINESS THAT CLOSED OR REDUCED STAFF DIRECTLY OR INDIRECTLY DUE TO PERSONNEL ACTIONS BY THE FEDERAL GOVERNMENT OR CHANGES IN THE FEDERAL GOVERNMENT'S BUDGET, CONTRACTS, OR FUNDING; AND

(III) A FORMER OWNER OF A BUSINESS THAT CLOSED DIRECTLY OR INDIRECTLY DUE TO PERSONNEL ACTIONS BY THE FEDERAL GOVERNMENT OR CHANGES IN THE FEDERAL GOVERNMENT'S BUDGET, CONTRACTS, OR FUNDING.

(3) "QUALIFIED UNEMPLOYED INDIVIDUAL" DOES NOT INCLUDE AN INDIVIDUAL WHO RECEIVES WAGES FOR PERFORMING WORK.

9–4102.

(A) THERE IS A PROGRAM TO PROTECT INDIVIDUALS UNEMPLOYED OR FURLOUGHED DUE TO FEDERAL ACTIONS.

(B) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

9–4103.

(A) THE DEPARTMENT SHALL:

(1) ESTABLISH AN APPLICATION PROCESS FOR INDIVIDUALS WHO MAY QUALIFY FOR THE PROGRAM;

(2) EVALUATE APPLICATIONS FOR ELIGIBILITY;

(3) NOTIFY AN INDIVIDUAL WHO IS DETERMINED TO BE A QUALIFIED FURLOUGHED INDIVIDUAL, A QUALIFIED LANDLORD, OR A QUALIFIED UNEMPLOYED INDIVIDUAL:

(I) THAT THE INDIVIDUAL WAS DETERMINED TO BE QUALIFIED FOR THE PROGRAM;

(II) OF THE CONDITIONS THAT WOULD DISQUALIFY AN INDIVIDUAL FROM THE PROGRAM; AND

(III) OF THE RIGHTS AND PROTECTIONS AFFORDED TO THE INDIVIDUAL UNDER THE PROGRAM;

(4) REGULARLY REEVALUATE WHETHER A QUALIFIED INDIVIDUAL REMAINS ELIGIBLE FOR THE PROGRAM; AND

(5) AT THE REQUEST OF A QUALIFIED INDIVIDUAL OR A QUALIFIED LANDLORD, PROVIDE VERIFICATION THAT THE INDIVIDUAL IS A QUALIFIED INDIVIDUAL OR A QUALIFIED LANDLORD TO AN ENTITY THAT IS REQUIRED TO DO OR PROHIBITED FROM DOING AN ACTION BECAUSE THE INDIVIDUAL IS A QUALIFIED INDIVIDUAL OR A QUALIFIED LANDLORD, INCLUDING:

(I) A BANKING INSTITUTION, AS DEFINED IN § 1–101 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(II) A COLLECTOR, AS DEFINED IN § 14–201 OF THE COMMERCIAL LAW ARTICLE;

(III) A COLLECTOR, AS DEFINED IN § 1–101 OF THE TAX – PROPERTY ARTICLE;

(IV) A CONSUMER REPORTING AGENCY, AS DEFINED IN § 14–1201 OF THE COMMERCIAL LAW ARTICLE;

(V) A CREDIT UNION, AS DEFINED IN § 1–101 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(VI) AN ENTITY SEEKING TO FORECLOSE A RESIDENTIAL PROPERTY UNDER § 7–105.1 OF THE REAL PROPERTY ARTICLE;

(VII) A LANDLORD SUBJECT TO § 8–208 OF THE REAL PROPERTY ARTICLE;

(VIII) A MORTGAGE LENDER, AS DEFINED IN § 11–501 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(IX) A MORTGAGE LENDING BUSINESS, AS DEFINED IN § 11–501 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(X) A MORTGAGE LOAN ORIGINATOR, AS DEFINED IN § 11–501 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(XI) A PUBLIC SERVICE COMPANY, AS DEFINED IN § 1–101 OF THE PUBLIC UTILITIES ARTICLE; OR

(XII) A SAVINGS AND LOAN ASSOCIATION, AS DEFINED IN § 8–101 OF THE FINANCIAL INSTITUTIONS ARTICLE.

(B) (1) THIS SUBSECTION DOES NOT APPLY TO A QUALIFIED PAYMENT PLAN THAT A QUALIFIED INDIVIDUAL ENTERS WHILE PARTICIPATING IN THE PROGRAM.

(2) FOR PURPOSES OF PARTICIPATING IN THE PROGRAM, AN INDIVIDUAL MAY NOT REMAIN:

(I) A QUALIFIED INDIVIDUAL FOR MORE THAN 1 YEAR; OR

(II) WHILE RECEIVING WAGES FOR PERFORMING WORK.

(C) ON THE EARLIER OF THE DATE AN INDIVIDUAL LOSES ELIGIBILITY TO PARTICIPATE IN THE PROGRAM OR 30 DAYS BEFORE A QUALIFIED INDIVIDUAL WILL LOSE ELIGIBILITY TO BE IN THE PROGRAM DUE TO REACHING THE END OF THE 1–YEAR ELIGIBILITY PERIOD, THE DEPARTMENT SHALL PROVIDE NOTICE TO A QUALIFIED INDIVIDUAL OF:

(1) WHEN THE INDIVIDUAL'S ELIGIBILITY ENDED OR IS SCHEDULED TO END;

(2) THE PROTECTIONS PROVIDED BY THE PROGRAM THAT WILL NO LONGER APPLY TO THE INDIVIDUAL;

(3) THE INDIVIDUAL'S RIGHT TO A QUALIFIED PAYMENT PLAN, EVEN AFTER THE INDIVIDUAL'S ELIGIBILITY FOR THE PROGRAM EXPIRES; AND

(4) CONSUMER PROTECTION RESOURCES THAT ARE AVAILABLE TO INDIVIDUALS IN THE STATE.

(D) A QUALIFIED INDIVIDUAL SHALL COMPLY WITH REQUIREMENTS SET BY THE DEPARTMENT TO VERIFY WHETHER THE QUALIFIED INDIVIDUAL CONTINUES TO BE ELIGIBLE FOR THE PROGRAM.

9–4104.

THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

9–4105.

THIS SUBTITLE MAY BE CITED AS THE UNEMPLOYED AND FURLOUGHED WORKERS ASSISTANCE ACT.

Article – Tax – Property

1–101.

(a) In this article the following words have the meanings indicated.

(e) "Collector" includes an officer of a county or municipal corporation who has a duty to collect or remit taxes.

14–811.

(J) THE COLLECTOR SHALL WITHHOLD FROM SALE THE DWELLING OF A HOMEOWNER WHO IS:

(1) A QUALIFIED INDIVIDUAL, AS DEFINED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE; OR

(2) A QUALIFIED LANDLORD, AS DEFINED IN § 9–4101 OF THE STATE GOVERNMENT ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That §§ 5–514, 6–606.1, 9–409, 11–522, and 11–605.1 of the Financial Institutions Article, as enacted by Section 1 of this Act, shall be construed to apply retroactively and shall be applied to and interpreted to affect any conventional home mortgage loan entered into prior to the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That §§ 7–105.1, 8–121, and 8–401 of the Real Property Article, as enacted by Section 1 of this Act, shall be construed to apply immediately and shall be applied to and interpreted to affect any foreclosure action, lease, or action for repossession initiated prior to the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.