

SENATE BILL 413

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5lr0855
CF HB 431

By: **Senator Waldstreicher**

Introduced and read first time: January 20, 2025

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 7, 2025

CHAPTER _____

1 AN ACT concerning

2 **Consumer Protection – Consumer Contracts – Limitations Periods**

3 FOR the purpose of prohibiting a consumer contract from setting a shorter time to bring an
4 action under or on the consumer contract than required by the law of the State;
5 excluding certain entities from the application of this Act; and generally relating to
6 consumer contracts.

7 BY adding to

8 Article – Commercial Law

9 Section 14–1328

10 Annotated Code of Maryland

11 (2013 Replacement Volume and 2024 Supplement)

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

14 **Article – Commercial Law**

15 **14–1328.**

16 (A) IN THIS SECTION, “CONSUMER CONTRACT” MEANS A CONTRACT
17 INVOLVING THE SALE, LEASE, OR PROVISION OF GOODS OR SERVICES THAT ARE FOR
18 PERSONAL, FAMILY, OR HOUSEHOLD PURPOSES.

19 (B) THIS SECTION DOES NOT APPLY TO:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(1) ANY CONSUMER CONTRACT PROVIDED BY A BUSINESS,**
2 **INCLUDING AN AFFILIATE OR A SUBSIDIARY OF THE BUSINESS, THAT IS DOING**
3 **BUSINESS UNDER A LICENSE, FRANCHISE AGREEMENT, CERTIFICATE, OR OTHER**
4 **AUTHORIZATION ISSUED BY A STATE AGENCY, POLITICAL SUBDIVISION, OR PUBLIC**
5 **UTILITY COMMISSION;**

6 **(2) A SERVICE REGULATED BY:**

7 **(i) THE MARYLAND PUBLIC SERVICE COMMISSION;**

8 **(ii) THE FEDERAL COMMUNICATIONS COMMISSION; OR**

9 **(iii) THE FEDERAL ENERGY REGULATORY COMMISSION; OR**

10 **(3) A PERSON OR BUSINESS LICENSED TO PROVIDE SECURITY**
11 **SYSTEM SERVICES UNDER TITLE 18 OF THE BUSINESS OCCUPATIONS AND**
12 **PROFESSIONS ARTICLE.**

13 **(c) A PROVISION IN A CONSUMER CONTRACT THAT SETS A SHORTER TIME**
14 **TO BRING AN ACTION UNDER OR ON THE CONSUMER CONTRACT THAN REQUIRED BY**
15 **THE LAW OF THE STATE WHEN THE CONSUMER CONTRACT IS ISSUED OR DELIVERED**
16 **IS AGAINST STATE PUBLIC POLICY, ILLEGAL, AND VOID.**

17 ~~**(c)**~~ **(d) IF A CONSUMER CONTRACT CONTAINS A PROVISION THAT IS**
18 **ILLEGAL UNDER THIS SECTION:**

19 **(1) A COURT MAY NOT GIVE EFFECT TO THE PROVISION; AND**

20 **(2) A DEFENSE TO LIABILITY UNDER THE CONSUMER CONTRACT MAY**
21 **NOT BE BASED ON THE SHORTER LIMITATION PERIOD.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
23 apply only prospectively and may not be applied or interpreted to have any effect on or
24 application to any contract entered into before the effective date of this Act.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 ~~October 1, 2025~~ June 1, 2026.