

# HOUSE BILL 194

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(PRE-FILED)

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By: **Delegate Conaway**

Requested: June 26, 2024

Introduced and read first time: January 8, 2025

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Retail Sales – Reimbursement of Shipping Costs**

3 FOR the purpose of requiring that a merchant provide a refund for shipping costs to a  
4 consumer who received an incorrect item within a certain period of time after a  
5 certain request is made; making a violation of this Act an unfair, abusive, or  
6 deceptive trade practice that is subject to enforcement and penalties under the  
7 Maryland Consumer Protection Act; and generally relating to consumer retail  
8 transactions.

9 BY repealing and reenacting, with amendments,

10 Article – Commercial Law

11 Section 13–301(14)(xlv)

12 Annotated Code of Maryland

13 (2013 Replacement Volume and 2024 Supplement)

14 (As enacted by Chapters 262, 454, 455, 460, 461, 463, and 962 of the Acts of the

15 General Assembly of 2024)

16 BY repealing and reenacting, without amendments,

17 Article – Commercial Law

18 Section 13–301(14)(xlv)

19 Annotated Code of Maryland

20 (2013 Replacement Volume and 2024 Supplement)

21 (As enacted by Chapters 262, 454, 455, 460, 461, 463, and 962 of the Acts of the

22 General Assembly of 2024)

23 BY adding to

24 Article – Commercial Law

25 Section 13–301(14)(xlv) and 14–1328

26 Annotated Code of Maryland

27 (2013 Replacement Volume and 2024 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Commercial Law**

4 13–301.

5 Unfair, abusive, or deceptive trade practices include any:

6 (14) Violation of a provision of:

7 (xliv) Title 14, Subtitle 49 of this article; [or]

8 (xlv) Section 12–6C–09.1 of the Health Occupations Article; or

9 **(XLVI) SECTION 14–1328 OF THIS ARTICLE; OR**

10 **14–1328.**

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

13 **(2) “CONSUMER” MEANS THE PURCHASER, OTHER THAN FOR**  
14 **PURPOSES OF RESALE, OF CONSUMER GOODS, CONSUMER SERVICES, OR CONSUMER**  
15 **CREDIT.**

16 **(3) “MERCHANT” HAS THE MEANING STATED IN § 13–101 OF THIS**  
17 **ARTICLE.**

18 **(4) “RETAIL SALE” MEANS THE SALE OF CONSUMER GOODS BY A**  
19 **MERCHANT TO A CONSUMER FOR:**

20 **(I) THE USE OR CONSUMPTION OF THE CONSUMER GOODS BY**  
21 **THE CONSUMER; OR**

22 **(II) THE BENEFIT OR SATISFACTION THAT THE CONSUMER MAY**  
23 **DERIVE FROM THE USE OR CONSUMPTION OF THE CONSUMER GOODS BY ANOTHER.**

24 **(B) A CONSUMER MAY REQUEST THAT A MERCHANT REFUND THE FULL**  
25 **AMOUNT OF SHIPPING COSTS THE CONSUMER INCURS TO RETURN AN INCORRECT**  
26 **ITEM THAT THE CONSUMER RECEIVES FROM THE MERCHANT IN CONNECTION WITH**  
27 **A RETAIL SALE.**

1           **(C) A MERCHANT THAT RECEIVES A REFUND REQUEST FROM A CONSUMER**  
2 **UNDER SUBSECTION (B) OF THIS SECTION SHALL REFUND THE CONSUMER’S FULL**  
3 **INCURRED SHIPPING COSTS TO THE CONSUMER WITHIN 30 DAYS AFTER RECEIVING**  
4 **THE REFUND REQUEST.**

5           **(D) A VIOLATION OF THIS SECTION IS:**

6                   **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN**  
7 **THE MEANING OF TITLE 13 OF THIS ARTICLE; AND**

8                   **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**  
9 **CONTAINED IN TITLE 13 OF THIS ARTICLE.**

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2025.