

CHAPTER 682

(Senate Bill 706)

AN ACT to add new Section 167 to Article 83 of the Annotated Code of Maryland (1969 Replacement Volume and 1971 Supplement), title "Sales and Notices," to follow immediately after Section 166 thereof, and to be under the new subtitle "Consumer Debt Collection," to prohibit certain actions by creditors in attempting to collect an alleged debt arising from a consumer transaction, and providing ~~penalties~~ REMEDIES for violation of this subtitle.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 167 be and it is hereby added to Article 83 of the Annotated Code of Maryland (1969 Replacement Volume and 1971 Supplement), title "Sales and Notices," to follow immediately after Section 166 thereof, and to be under the new subtitle "Consumer Debt Collection," and to read as follows:

Consumer Debt Collection

167.

(a) *In attempting to collect an alleged debt arising from a consumer transaction, a person shall not*

- (1) *use or threaten force or violence;*
- (2) *threaten criminal prosecution; , UNLESS THE TRANSACTION INVOLVED THE VIOLATION OF A CRIMINAL STATUTE;*
- (3) *disclose or threaten to disclose information affecting the debtor's reputation for credit worthiness with knowledge ~~or reason~~ to know that the information is false;*
- ~~(4) communicate or threaten to communicate with the debtor's employer~~ (4) *CONTACT A PERSON'S EMPLOYER WITH RESPECT TO A DELINQUENT INDEBTEDNESS prior to obtaining final judgment against the debtor, except as permitted by statute;*
- (5) *disclose or threaten to disclose to a person other than the debtor or his spouse OR PARENT, IF THE DEBTOR IS A MINOR information affecting the debtor's reputation, whether or not for credit worthiness, with knowledge ~~or reason~~ to know that the other person does not have a legitimate business need for the information, but this subsection does not prohibit the disclosure to another person of information permitted to be disclosed to him by statute;*
- ~~(6) disclose or threaten to disclose information concerning the existence of a debt known to be disputed by the debtor without disclosing that fact;~~
- (7) *(6) communicate with the debtor or a person related to him with such frequency ~~or~~ at such unusual hours or in such a manner as can reasonably be expected to abuse or harass the debtor;*
- ~~(8) engage in other conduct which can reasonably be expected to abuse or harass the debtor or a person related to him;~~
- (9) *(7) use profane, obscene or GROSSLY abusive language in communicating with the debtor or a person related to him;*