

**Article - Commercial Law**

13-305.

(a) This section does not apply to:

(1) Trading stamps, as defined by § 13-101 of the Business Regulation Article;

(2) State lottery tickets issued under the authority of Title 9, Subtitle 1 of the State Government Article;

(3) Retail promotions, not involving the offer of gifts and prizes, which offer savings on consumer goods or services including "one-cent sales", "two-for-the-price-of-one-sales", or manufacturer's "cents-off" coupons; or

(4) Games of skill competition not involving sales promotion efforts.

‡(b) A person may not notify any other person by any means, as part of an advertising scheme or plan, that the other person has won a prize, received an award, or has been selected or is eligible to receive anything of value if the other person is required to purchase goods or services, pay any money to participate in, or submit to a sales promotion effort.‡

(C) IN ADDITION TO THE EXCEPTIONS PROVIDED IN SUBSECTION (A) OF THIS SECTION, SUBSECTION (B) OF THIS SECTION DOES NOT PROHIBIT THE OFFER OF PRIZES REQUIRING THE PERSON TO PURCHASE OTHER GOODS AND SERVICES IF THE RETAIL PRICE OF THE PRIZE OFFERED DOES NOT EXCEED THE GREATER OF:

(1) \$40; OR(2) THE LESSER OF:

(I) 20% OF THE PURCHASE PRICE OF THE GOODS OR SERVICES THAT MUST BE PURCHASED; OR

(II) \$400.

(D) THE EXCEPTION PROVIDED IN SUBSECTION (C) OF THIS SECTION DOES NOT APPLY TO THE OFFER OF A PRIZE REQUIRING THE PERSON EITHER TO PAY ANY MONEY TO PARTICIPATE IN OR TO SUBMIT TO A SALES PROMOTION EFFORT, OR TO A PRIZE PROMOTION INVOLVING THE AWARD OF PRIZES BY CHANCE.

[(c)] ~~(B)~~ (E) When a person offers prizes in a sales promotion effort relating to the sale, lease, or rental of real property not prohibited by this ~~subsection~~ SECTION; that person shall disclose to each offeree, in writing, clearly and conspicuously:

(1) That the purpose of the sales promotion effort is to solicit the purchase, lease, or rental of real property;

(2) The exact number of each prize offered in each category to be made available during the sales promotion;