14-3202.

~~THIS SUBTITLE DOES NOT APPLY TO A TELEPHONE CALL INITIATED FOR A CHARITABLE ORGANIZATION BY A PERSON THAT IS NOT A PROFESSIONAL SOLICITOR.~~

~~14-3202.~~ 14-3203.

A PERSON MAY NOT VIOLATE:

(1)   THE TELEMARKETING AND CONSUMER FRAUD AND ABUSE PREVENTION ACT, 15 U.S.C. §§ 6101 THROUGH 6108, AS IMPLEMENTED BY THE FEDERAL TRADE COMMISSION IN THE TELEMARKETING SALES RULE (16 C.F.R. PART 310); OR

(2)   THE TELEPHONE CONSUMER PROTECTION ACT, 47 U.S.C. § 227, AS IMPLEMENTED BY THE FEDERAL COMMUNICATIONS COMMISSION IN THE RESTRICTIONS ON TELEMARKETING AND TELEPHONE SOLICITATIONS RULE (~~64~~ 47 C.F.R. *PART 64,* SUBPART L).

~~14-3203.~~ ~~14-3204.~~ *14-3202.*

(A)   A VIOLATION OF THIS SUBTITLE IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE AND IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE.

(B)   IN ADDITION TO THE REMEDIES PROVIDED IN § 13-408 OF THIS ARTICLE, AN INDIVIDUAL WHO IS AFFECTED BY A VIOLATION OF THIS SUBTITLE MAY BRING AN ACTION AGAINST A PERSON THAT VIOLATES THIS SUBTITLE TO RECOVER:

(1)   REASONABLE ATTORNEY'S FEES; AND

(2)   DAMAGES IN THE AMOUNT OF THE GREATER OF:

(I) $500 FOR EACH VIOLATION; OR

(II)   ACTUAL DAMAGES SUSTAINED AS A RESULT OF THE VIOLATION.

(C)   FOR PURPOSES OF THIS SECTION, EACH PROHIBITED TELEPHONE SOLICITATION AND EACH PROHIBITED PRACTICE DURING A TELEPHONE SOLICITATION IS A SEPARATE VIOLATION.

~~SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Division of Consumer Protection of the Office of the Attorney General process and pursue, as authorized in Title 14, Subtitle 32 of the Commercial Law Article, as enacted by Section 1 of this Act, only extreme cases of violations of the National Do Not Call Registry in an effort to keep investigation and enforcement costs minimal or, to the extent possible, within existing resources.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Office of the Attorney General shall report, in accordance with § 2-1246 of the State Government Article, to