

House Bill 789

AN ACT concerning

**Banking Institutions - Deceptive Use of Names, Trade Names, Trademarks, Service Marks, Logos, or Taglines - Penalties**

FOR the purpose of clarifying the entities that may use a name, title, or other words that represent that the person is authorized to do the business of banking in the State; providing that under certain circumstances, a person may not use the name, trade name, trademark, service mark, logo, or tagline of a certain bank ~~that is similar to that which is used by the bank~~ or a term or design that is similar to the name, trade name, trademark, service mark, logo, or tagline of a certain bank in certain material; providing for an exception; providing for a penalty for a violation of ~~the~~ this Act; defining ~~a certain term~~ certain terms; and generally relating to the deceptive use of the name, trade name, trademark, service mark, logo, or tagline of a bank.

BY repealing and reenacting, with amendments,  
Article - Financial Institutions  
Section 5-806  
Annotated Code of Maryland  
(2003 Replacement Volume and 2006 Supplement)

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

**Article - Financial Institutions**

5-806.

(a) Except for a bank, trust company, ~~or~~ savings bank, OR SAVINGS AND LOAN ASSOCIATION that is authorized to do business in this State, a person may not use any name, title, or other words that represent that the person is authorized to do the business of banking in this State.

(B) (1) (I) IN THIS SUBSECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(II) 1. "BANK" "BANK" MEANS ANY BANK, TRUST COMPANY, SAVINGS BANK, OR SAVINGS AND LOAN ASSOCIATION INCORPORATED OR CHARTERED UNDER THE LAWS OF THIS STATE OR THE UNITED STATES THAT ACCEPTS DEPOSITS THAT IS AUTHORIZED TO DO BUSINESS IN THIS STATE, AND ANY SUBSIDIARY OR AFFILIATE OF THE ENTITY.