

HOUSE BILL 1274

I3, I4

11r2932

By: **Delegate Conaway**

Introduced and read first time: February 8, 2021

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Retail Pricing – Required Disclosure and Manner of Disclosure**

3 FOR the purpose of requiring a seller to disclose the price of a consumer commodity if the
4 total or unit price is raised; providing for the manner of the required disclosure;
5 making stylistic changes; and generally relating to retail pricing.

6 BY repealing and reenacting, with amendments,
7 Article – Commercial Law
8 Section 14–103 and 14–104
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2020 Supplement)

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

13 **Article – Commercial Law**

14 14–103.

15 (a) Except as provided in § 14–102 of this subtitle, each person who sells or offers
16 or displays for sale a consumer commodity at retail shall disclose:

17 (1) The total price of the consumer commodity; or

18 (2) Except as provided in subsection (c) of this section, the unit price of the
19 consumer commodity if:

20 (i) It is sold only by units; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) It is a prepackaged or retail-packaged consumer commodity
2 within any of the following categories:

- 3 1. Foods, condiments, cooking oils, shortenings, and similar
4 consumer commodities;
- 5 2. Paper products, including napkins, towels, and tissues;
- 6 3. Wrapping products, including those made of paper,
7 plastic, and aluminum; and
- 8 4. Soaps, detergents, cleansing aids, deodorizing aids, and
9 similar consumer commodities.

10 (b) If a packaged consumer commodity described in subsection (a)(2)(ii) of this
11 section is priced for a multiple-package purchase, the seller shall disclose the unit price of
12 that commodity on the basis of the multiple package.

13 (c) A person is not required to disclose the unit price of a consumer commodity
14 described in subsection (a)(2) of this section if [he] **THE PERSON** then is disclosing unit
15 prices for at least [90 percent] **90%** of the dollar volume or number of items of all [his] **THE**
16 consumer commodities which are subject to the disclosure requirements of subsection (a)(2)
17 of this section.

18 **(D) IF THE TOTAL PRICE OR UNIT PRICE OF A CONSUMER COMMODITY IS**
19 **RAISED, THE RAISED PRICE SHALL BE DISCLOSED.**

20 14–104.

21 **(A)** The seller shall disclose the total price or unit price, as the case may be, for
22 each item in the following manner:

23 (1) If the item is visible conspicuously to the consumer, by attachment of a
24 stamp, tag, or label:

- 25 (i) Directly on the item or its package; or
- 26 (ii) Directly adjacent to the item or on the shelf on which the item is
27 displayed; or

28 (2) If the item is not visible conspicuously to the consumer or if the stamp,
29 tag, or label would not be visible conspicuously to the consumer, by a sign or list which
30 contains the price information and is visible conspicuously to the consumer.

1 **(B) IF THE TOTAL PRICE OR UNIT PRICE OF AN ITEM IS RAISED, THE RAISED**
2 **PRICE SHALL BE DISCLOSED CONSISTENT WITH THE REQUIREMENTS OF**
3 **SUBSECTION (A) OF THIS SECTION.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2021.