



March 24, 2026

Senator Pamela Beidle  
Finance Committee  
3 East Miller Senate Office Building  
Annapolis, MD 21401

**Testimony to the Finance Committee**  
**HB-103, Consumer Protection - Consumer Contracts - Prohibited Waiver**  
**Position: Favorable**

Honorable Chair Beidle and Members of the Committee:

Thank you for the opportunity to share our views on an important consumer protection matter. The National Association of Consumer Advocates, a nonprofit organization actively engaged in promoting a fair and open marketplace that forcefully protects the rights of all consumers, particularly those of modest means, strongly supports and urges favorable passage of HB 103.

The bill would ensure that one-sided consumer contracts cannot wipe away consumer remedies, specifically statutory and punitive damages granted under Maryland and federal law. HB 103 would also improve the law passed in 2025, which stops corporate-written terms and conditions from shortening the legal time-period for harmed consumers to file legal claims.<sup>1</sup> Under HB 103, industries will conduct business on a level playing field without unnecessary exemptions.

As Marylanders sign up for essential products and services such as loans or credit cards, or open bank accounts, buy concert tickets, or use online applications, they are presented with take-it-or-leave-it terms of service with difficult-to-understand language that restricts their legal rights and insulates companies from taking responsibility when they break the law.<sup>2</sup> Some companies take advantage of consumers' trust, lack of expertise, and unfamiliarity with the law to sneak unfair clauses in contracts that remove people's legal rights and remedies.<sup>3</sup>

By passing HB-103, lawmakers will ensure that non-negotiable fine-print clauses do not remove remedies available to harmed consumers under the law, such as the damages provided in the Maryland Consumer Protection Act. Statutory and punitive damages are crucial for compensating victims, as well as punishing and deterring wrongdoers. If the law does not allow financial penalties against bad corporate actors for cheating or ripping off consumers, there is little to prevent these companies from continuing their misconduct and harming others.

We urge you to shield Marylanders from unfair clauses in one-sided contracts that wipe away their rights and remedies. Pass HB-103 to protect their access to justice.

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<sup>1</sup> Md. House Bill 431 (2025).

<sup>2</sup> See, Andrea Boyack, *Abuse of Contract: Boilerplate Erasure of Consumer Counterparty Rights*, 110 Iowa Law Review 497 (2025), <https://scholarship.law.missouri.edu/cgi/viewcontent.cgi?article=2199&context=facpubs>.

<sup>3</sup> Yehuda Adar and Shmuel I. Becher, *Ending The License To Exploit: Administrative Oversight Of Consumer Contracts*, 62 B.C. L. REV. 2405, 2415-24 (2021), <https://bclawreview.bc.edu/articles/118/files/63dd1b6eb6411.pdf>.

For the reasons above, we support favorable passage of this legislation.

Respectfully submitted,

Christine Hines  
Senior Policy Director