

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2026 Legislative Session

Bill No. CB-038-2026

Chapter No. _____

Proposed and Presented by Council Members Fisher and Adams-Stafford

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Impersonation of Utility Companies and Government Agencies

3 For the purpose of amending the Prince George's County code to supplement existing law that
4 prohibits a person from falsely representing that a person is, or is acting on behalf of, a utility
5 company or any local, state, or federal government; providing penalties for those violations; and
6 generally relating to consumer protections and unlawful practices.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 2. ADMINISTRATION.

9 Sections 2-146 and 2-156,

10 The Prince George's County Code

11 (2023 Edition; 2025 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Sections 2-146 and 2-156 of the Prince George's County Code be and the same
14 are hereby repealed and reenacted with the following amendments:

15 SUBTITLE 2. ADMINISTRATION.

16 DIVISION 8. CONSUMER PROTECTION.

17 SUBDIVISION 1. GENERAL.

18 **Sec. 2-146. Unlawful Practices.**

19 (a) The following practices and conduct are declared to be unlawful in connection with the
20 sale or advertisement of any merchandise or service, or in connection with the borrowing of
21 money or extension of credit, whether or not any person has, in fact, been misled, deceived or

1 | damaged thereby:

2 | (1) The act, use or practice by any person of any deception, fraud, false promise, or
3 | material misrepresentation;

4 | (2) The concealment, suppression or omission of any material fact which was known or
5 | should have been known to the merchant or lender;

6 | (3) The act of falsely representing by any person, directly or indirectly, that the person
7 | is acting on behalf of:

8 | (A) an employee, agent, contractor, subcontractor, or authorized representative of
9 | any utility company or provider;

10 | (B) an employee, agent, contractor, subcontractor, or authorized representative of
11 | any federal, state, or local government;

12 | ([3] 4) The unreasonable detention of any monies, bailment or chattel personal;

13 | ([4] 5) The harassment or threatening of any person by telephone, cards, letters, or any
14 | other means or the contacting of any person's employer for delinquent indebtedness. Nothing in
15 | this Subsection shall prevent the use of legal process in the collection of debts;

16 | ([5] 6) The arbitrary refusal or termination of the credit of a natural person without
17 | explanation and without allowing such person to correct errors in his credit records;

18 | ([6] 7) Unconscionable trade practice which shall mean a practice which takes unfair
19 | advantage of the lack of knowledge, ability, experience or capacity of a consumer which results
20 | in a gross disparity in the rights of a consumer as against the merchant or results in a gross
21 | disparity between the value received by a consumer and the price paid by the consumer;

22 | ([7] 8) Failure of any merchant to honor any express warranty or any implied warranty
23 | as provided by State law to repair any merchandise except real estate. A rebuttable presumption
24 | that the merchandise is irreparable shall be raised when the merchant is notified within a
25 | reasonable time after the consumer discovers or should have discovered the disrepair and when
26 | the merchant has been given a reasonable opportunity to repair. In such a case the merchandise,
27 | at the election of the consumer, shall be either exchanged, if available, or all costs of purchase
28 | refunded, less ordinary wear and tear, if used. Finance charges are not to be included as a part of
29 | the cost of purchase.

30 | ([8] 9) Failure of the vendor of a residential condominium unit to provide to the initial
31 | purchaser thereof all disclosure requirements as required pursuant to Section 11-126 of the Real

1 Property Article of the Annotated Code of Maryland, as it may be from time to time amended.

2 ([9] 10) Violation of prohibited acts under Section 5-272 of Subtitle 5, Division 21, of
3 the Prince George's County Code.

4 (b) The provisions of Subsection (a) shall apply to all services licensed under Division 21
5 of Subtitle 5 of the Prince George's County Code.

6 (c) In addition to Section 2-146(a), the following practices are declared to be unlawful in
7 connection with the ownership and/or management of cemeteries. In determination of
8 unreasonableness as provided for and required herein, the Director shall, among other factors,
9 consider the practices, policies, rules, regulations, or prices of services of other cemetery
10 authorities in Prince George's County and the Washington and Baltimore Metropolitan Areas and
11 any model rules and regulations recommended by the collective action of the cemetery
12 authorities in Prince George's County:

13 (1) The establishment by the cemetery authority of any unreasonable policies,
14 practices, rules, regulations, or prices of services for the use, care, management, or protection of
15 the property of the cemetery authority and its burial sites;

16 (2) The establishment of any unreasonable policies, practices, rules, regulations, or
17 price structures that discriminate against any racial, ethnic, or religious group;

18 (3) The use of a contract of sale for burial rights that is not plainly printed or
19 typewritten and retained, subject to inspection in the office of the cemetery authority and
20 available to the consumer upon request, or the failure to provide, prior to the execution of a
21 contract of sale, a current copy of the policies, practices, rules, or regulations and price structures
22 for services of the cemetery;

23 (4) Failure to file by June 1 of each year, an accurate and fully disclosed statement
24 listing all policies, practices, rules, regulations, and pricing structures for services with the
25 Director and failing to inform the Director within thirty (30) days of any change in this report;

26 (5) Failure to allow the owner(s) of burial rights in a cemetery or the owner of
27 cemetery goods and services to transfer, sell, or convey the same to any person or association,
28 provided however, that nothing herein shall preclude the cemetery authority from placing
29 reasonable restrictions on resale if said restrictions are included in the owner's sales contract and
30 the cemeteries' rules and regulations. This paragraph shall not be applicable to those cemeteries
31 owned and operated by municipal corporations;

1 (6) The gross neglect of uniform maintenance by the cemetery authority of all of those
2 sections of the cemetery used for interment, provided that the cemetery authority has
3 responsibility for such maintenance as a result of contract or receipt of perpetual or annual care
4 income which is not being used for maintenance, or when such maintenance is required to
5 correct damages caused by an act of the cemetery authority;

6 (7) Where an annual maintenance and/or perpetual fund exists, the refusal to make
7 available an annual and accurate account of such fund to those owners of burial sites for which
8 provision is made for annual maintenance or perpetual care funding;

9 (8) Failure by a cemetery authority to inform a consumer of any rule, regulation, price
10 structure, or other condition which was made a part of the contract of purchase, or which is
11 otherwise applicable to the installation or erection of a foundation, marker, monument, stone, or
12 similar structure;

13 (9) Failure by a cemetery authority to accept markers, monuments, stones, or similar
14 structures in compliance with reasonable regulations of the cemetery authority from outside
15 sources, or to prohibit or by practice interfere with the timely installation of markers, foundations
16 and/or footings, or the installation of their foundations by outside sources, provided that nothing
17 in Section 2-146(c) shall be construed to prohibit a cemetery authority from:

18 (A) Requiring that the foundation for any markers, monuments, stones, or similar
19 structures installed by outside sources be constructed in accordance with the criteria established
20 and accepted by the cemetery and monument industry for the installation of markers,
21 monuments, stones, or similar structures, providing that rules for installation are the same for
22 third party monument sellers as for the cemetery authority;

23 (B) Designating nonmonument areas or burial sites of any cemetery prior to the
24 sale of such designated areas or burial sites; or

25 (C) Contracting with a consumer for a sale of a marker, monument, stone, or
26 similar structure, provided that the consumer is advised in writing prior to entering such contract
27 of sale that he is otherwise permitted to make such purchases from outside sources.

28 (10) Discrimination and/or harassment by the cemetery authority against the
29 installation of markers, monuments, stones, or similar structures purchased from any source
30 other than the cemetery authority.

31 (11) Failure of a cemetery authority to disclose to the purchaser of cemetery goods and

1 services all information required under the Federal Trade Commission Funeral Rule, as such
2 information applies to the purchaser of cemetery goods and services; and to provide a disclosure
3 statement in writing and signed by the cemetery authority and the purchaser with a copy
4 provided to the purchaser.

5 (12) Failure of a cemetery authority to include in its disclosure the phone number and
6 address for the local regulatory agency.

7 (13) Failure of a cemetery authority to retain for a period of three years after the
8 delivery of all purchased cemetery goods and services a copy of the signed and dated Disclosure
9 Statement for each purchaser of cemetery goods and services.

10 (14) Failure of a cemetery authority to file with the Director by June 1 of each year and
11 to maintain and display, at the point of sales, a map or plat which identifies the Section name,
12 Lot number, and Site number of each burial site and which clearly identifies each burial site
13 which contains human remains and each burial site which has been sold.

14 (15) Failure of a cemetery authority to record on each contract for a burial site the
15 Section name, Lot number, and Site number of each burial site.

16 (16) Failure of a cemetery authority to engrave, etch, or cast, or cause to be engraved,
17 etched, or cast, the Section name, Lot number, and Site number of each burial site upon each
18 marker or monument.

19 (d) In addition to Section 2-146(a), the following practices are declared to be unlawful in
20 connection with the practice of funeral direction or the practice of mortuary science, as those
21 practices are defined in the Health Occupation Article of the Annotated Code of Maryland:

22 (1) Failure of a person to make disclosure to the purchaser of funeral direction or
23 mortuary services of all information required to be made by the Federal Trade Commission, as
24 those requirements may be from time to time amended;

25 (2) Failure of a provider of funeral direction or mortuary services to retain for a period
26 of three years a copy of the signed and dated Federal Trade Commission Disclosure Form for
27 each purchaser of funeral direction or mortuary services.

28 (e) The following practices and conduct are declared to be unlawful, unfair and deceptive in
29 connection with actions by landlords with respect to rental housing:

30 (1) Failure of the landlord to correct substandard living conditions of their rental
31 properties.

- (2) Landlord's misleading advertising of amenities of their rental properties.
- (3) Landlord's failure to maintain essential services required on their rental properties.
- (4) Unwarranted fees assessed by landlords upon tenants in their rental properties.
- (5) Persistent housing violations by landlords on their rental properties.

SUBTITLE 2. ADMINISTRATION.

DIVISION 8. CONSUMER PROTECTION.

SUBDIVISION 1. GENERAL.

Sec. 2-154. [Reserved.] Penalties for Impersonation of Utilities or Government.

(a) Any person who violates Section 2-146(a)(3) shall be guilty of a misdemeanor and upon conviction shall be subject to:

(1) A fine not to exceed two thousand dollars (\$2,000) and imprisonment not to exceed sixty (60) days for a first offense.

(2) A fine not to exceed three thousand dollars (\$3,000) and imprisonment not to exceed sixty (60) days for a second offense.

(3) A fine not to exceed five thousand dollars (\$5,000) and imprisonment not to exceed six (6) months for a third offense and every subsequent offense.

(b) The Prince George's County Police Department shall be responsible for the execution of this specific section and investigation of the unlawful practices in Section 2-146(a)(3) and not the Department of the Environment.

(c) All other sections of this subdivision remain the duties of the Director unless otherwise directed by law.

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SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)
2 calendar days after it becomes law.

Adopted this ____ day of _____, 2026.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Krystal Oriadha
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Aisha N. Braveboy
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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