



Howard County

Internal Memorandum

Subject: Testimony and Fiscal Impact Statement
Amendments to the Consumer Protection Act

To: Brandee Ganz
Chief Administrative Officer

From: Tracy Rezvani, Administrator
Office of Consumer Protection

Date: September 23, 2025

PURPOSE

Council Bill No. CB__-2025, seeks to substantively update the Howard County Consumer Protection Act (HCCPA) for the first time in 50 years. The bill updates language to capture changes in technology, business practices, and common schemes faced by Howard County consumers.

BACKGROUND

The Office of Consumer Protection was legislatively created by CB7-1975 with an effective date of June 9, 1975. Other than minor changes to the Office's name, or references to new statutes added to the Office's purview, CB7-1975 has not been substantively changed in 50 years. In that time, technology has brought us computers, the internet, FinTech products, social media, and substantive and material changes to the ways in which businesses operate, market and sell their goods and services. No longer do businesses advertise in the Yellow Pages, buy ads on the radio, and solely sell in brick-and-mortar storefronts. With the internet, social media, and artificial intelligence, the vast amount of advertising and sales are with businesses which lack a storefront at all, let alone one within driving distance. The HCCPA should therefore be updated to reflect the changing and expanding marketplace.

Additionally, in recent years the Federal Trade Commission has highlighted a growing trend where the unfair practice is *conduct* based and not representational. Defining these misleading and manipulative practices as "dark patterns" the FTC is focusing on how the transactional materials themselves are designed to mislead or manipulate, e.g., pre-checked boxes, hard-to-find-and read disclosures, confusing cancellation policies, signed e-contracts that aren't delivered until after the right-to-cancel period expires, etc. At present, the HCCPA does not substantially address *conduct* at all, only representations and omissions.

Moreover, with federal consumer protections facing uncertainty at best, our work at the local level is more crucial than ever. Our office has seen a rise in complaints ordinarily handled by these (all but) disbanded federal agencies. Increasingly, our investigators find that facts and issues raised by consumers do not cleanly fit within the confines of the existing HCCPA. This has complicated not only our ability to mediate disputes (our main goal) but to engage in enforcement activity when the law is clearly broken.

Lastly, over the last 50 years, our Office has determined that some terms in the HCCPA were either vaguely, incompletely or inartfully stated. This has again complicated our ability to mediate disputes or bring enforcement actions when needed.

FISCAL IMPACT

To fully implement the bill, OCP does not at present believe it will require any new positions.