

(2) A person who violates this section is subject to a fine not exceeding \$250.

(3) A fine collected under this section shall be distributed in the same way as costs are distributed under § 7-409 of the Courts Article.

(4) In addition to a fine imposed under this subsection, an employer is liable for damages for the failure to deduct the earnings of a restitution obligor or failure to make a timely payment as required in the earnings withholding order.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

May 26, 2005

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1043 – *Consumer Protection – Hearing Aids – Cancellation*.

This bill requires a seller of a hearing aid to bill fees for diagnostic tests separately from specified other charges. The bill also authorizes a seller of a hearing aid to deduct payments for diagnostic tests from a refund paid to a purchaser after cancellation of a hearing aid purchase and makes conforming changes to the unfair trade practice provisions used in enforcement.

Senate Bill 576, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1043.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

House Bill No. 1043

AN ACT concerning

Consumer Protection – Hearing Aids – Cancellation

FOR the purpose of ~~altering the amounts that may be deducted from a refund paid to a purchaser after cancellation of a hearing aid purchase; requiring that certain charges may be deducted from a refund only if the charges are identified in a certain manner as being nonrefundable; altering the contents of certain notices that must be provided in connection with the sale and delivery of a hearing aid requiring a seller of a hearing aid to bill fees for diagnostic tests separately from certain other charges; authorizing a seller of a hearing aid to deduct payments~~