



February 2, 2022

**Testimony of Montana Williams  
Director, State and Local Public Policy  
Chamber of Progress**

**Maryland General Assembly  
Economic Matters Committee**

**MD 0295: Commercial Law - Consumer Protection - Online Marketplace  
Disclosure Requirements  
(INFORM Consumers Act of 2022)**

Good afternoon Chair Wilson, Vice Chair Crosby and members of the committee,

My name is Montana Williams and I am the Director of State and Local Public Policy for the Chamber of Progress, a tech industry coalition promoting technology's progressive future. Our organization works to ensure that all Americans benefit from technological leaps. Our corporate partners include Amazon, Google, and Meta, but our partner companies don't have a vote or veto over our positions.

We appreciate your commitment to combat organized crime, but we urge your committee to **oppose HB 0295**.

**First, HB 0295 would make small online sellers collateral damage in Walmart's battle against Amazon.** Brick-and-mortar marketplace giants are trying to stifle healthy competition and will ultimately hurt Etsy artisans, eBay sellers, and other online microbusinesses. According to a recent article in The Atlantic, bills like HB 0295 will ultimately help Walmart by "**weaken[ing] the competitive advantage of large-scale online-shopping platforms.**" It won't stop sophisticated counterfeiters, who will surely adapt to the new rules

**Second, fifteen states have rejected bills similar to HB 0295, prioritizing the needs of online entrepreneurs and consumer choice.** Legislators in Republican and Democratic led states agree this legislation would add additional obstacles that would ultimately hurt small sellers, decrease opportunity, increase red tape, and hinder consumers in search of a deal. The only state to pass this legislation is Walmart's home state, Arkansas.

**Finally, the version of the federal INFORM act has already gained support from retail groups, a coalition including Etsy and eBay, and Amazon.** Online marketplaces are largely borderless and don't observe state by state boundaries. Since HB 0295 greatly differs from the federal version, passing this bill would exacerbate a patchwork of state laws on an issue that is more properly

addressed at the federal level. The consensus approach reflected in the federal version of the legislation represents the best model for tackling this issue without harming small online sellers.

We hope you will heed the perspectives of the legislators who have assessed the consequences of passing state versions of this legislation and **oppose HB 0295**. This bill would take sides for Walmart against Amazon, would hurt small online business owners, and has been rejected in all but one state legislature. We encourage the Maryland legislature to instead support the improved federal compromise version of this legislation that has broader support.

Thank you.