SENATE DOCKET, NO. 1520 FILED ON: 1/18/2013

SENATE . . . . . No. 141

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to mobile wireless contracts and agreements .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael F. Rush	*Norfolk and Suffolk*
Robert M. Koczera	*11th Bristol*
Kathi-Anne Reinstein	*16th Suffolk*
Christopher G. Fallon	*33rd Middlesex*
Daniel A. Wolf	*Cape and Islands*

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SENATE . . . . . No. 141

By Mr. Rush, a petition (accompanied by bill, Senate, No. 141) of Michael F. Rush, Robert M. Koczera, Kathi-Anne Reinstein, Christopher G. Fallon and other members of the General Court for legislation relative to mobile wireless contracts and agreements. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

An Act relative to mobile wireless contracts and agreements .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 93 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following new section:-

Section 115. A contract agreement between a consumer and a mobile wireless carrier shall not be binding upon or enforceable against any consumer who after purchasing a device and the contract or agreement associated with it at any point during the contract loses wireless service or falls under “dead zones” so called, for a period lasting thirty days or more at the consumers’ primary residence or primary place of business or employment. Consumers who fall under this section may cancel a contract or agreement with a mobile wireless carrier without any penalty or further obligation. Consumers shall provide a reasonable proof of primary residency or place of business or employment to the mobile wireless carrier pursuant to this section.