

HOUSE No. 1482

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Regulating Social Referral Service Contracts..

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

1 Chapter 93A of the General Laws is hereby amended by adding the following section:-

2 Section 12A for the purposes of this section a social referral service contract shall be
3 defined as any service for a fee providing for the matching of members of consenting adults by
4 use of computer or any other means, for the purpose of dating and general social contact. No
5 social referral contract shall extend for a period of time exceeding 2 years. No such contract
6 shall require the purchaser to purchase a good or service which is directly or indirectly related to
7 the social referral service. Such services shall be known as ancillary services which they shall
8 not be required as a condition of the social referral service contract. No contract shall be valid
9 without a purchaser having a face to face meeting with the provider and provider has the right to
10 ask for a valid identification.

11 Matchmakers shall follow the Code of Ethics promulgated by the Matchmaking Institute.
12 Matchmakers must meet industry standards set forth by said Institute subject to annual
13 operational audit. Matchmakers must be incorporated and registered with the Secretary of State
14 and bonded up to \$25,000

15 If the cost of such contract exceeds \$25, the seller must furnish the consumer with a
16 minimum number of referrals which shall be stated in the contract. If the minimum number of
17 referrals is not met within the contractual agreement , the consumer shall have the option of
18 canceling the contract and receiving a refund fee not to exceed 15 percent of the contract price or
19 a pro rata amount based on the number of referrals furnished. Such contracts shall specify the
20 distance the consumer is willing to travel to meet a social referral. Such contracts shall contain a
21 policy to address the situation of the consumer moving outside the area service. Violations of
22 such contracts may be adjudicated in a court of competent jurisdiction.

23 Such contracts shall provide the consumer the right to place his membership on hold for a
24 period not to exceed 1 year provided, however the agency and consumer may agree to a longer
25 period not to exceed 2 years. Each contract shall provide that the consumer may cancel within 3
26 days of execution. If there is a cancellation fee, it must be clearly stated within the contract.
27 Such cancellation shall be by certified or registered to an address specified in the contract.

28 The Executive Office of Public Safety shall promulgate regulations; allowing Certified
29 Matchmakers to be granted access to the Massachusetts Criminal Systems History Board for
30 CORI checks on all members; requiring matchmakers to cross check members against National
31 Sex Offender Registry Board and or when appropriate the Mass SORB.