

**HOUSE . . . . . No. 3107**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Elizabeth Poirier**

*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 bill:

An Act prohibiting intentional misrepresentation by a business of its location.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Elizabeth Poirier	14th Bristol
Richard J. Ross	9th Norfolk
Bruce E. Tarr	First Essex and Middlesex
Willie Mae Allen	6th Suffolk
Paul K. Frost	7th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3361 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT PROHIBITING INTENTIONAL MISREPRESENTATION BY A BUSINESS OF ITS LOCATION.

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

1 SECTION 1. Chapter 93 of the General Laws is hereby amended by adding the following  
2 section:—

3 Section 114. (a) It is hereby declared to be an unfair and deceptive act or practice in violation of  
4 chapter 93A for any provider or vendor of a product or service to misrepresent the geographic  
5 location of its business by doing either of the following:

6 (1) listing a local telephone number in a local telephone directory listing or advertisement if each  
7 of the following is satisfied:

8 (i) calls to the telephone number are routinely forwarded or otherwise transferred to a provider's  
9 or vendor's business location that is outside the calling area covered by the local telephone  
10 directory.

11 (ii) the listing does not identify the true physical address, including the city and state, of the  
12 provider's or vendor's business.

13 (2) listing a fictitious business name or an assumed business name in a local telephone directory  
14 listing or advertisement if each of the following is satisfied:

15 (i) the name misrepresents the provider's or vendor's geographic location.

16 (ii) the listing does not identify the true physical address, including the city and state, of the  
17 provider's or vendors business.

18 (b) for purposes of this section the following terms shall have the following meanings:

19 “Local telephone directory”, a telephone classified advertising directory or the business section  
20 of a telephone directory that is distributed free of charge to some or all telephone subscribers in a  
21 local area directory.

22 “Local telephone number”, a telephone number that has a three-number prefix used by a  
23 telephone service company for telephones physically located within the area covered by the local  
24 telephone directory in which the number is listed. The term shall not include long distance  
25 numbers or 800- or 900- exchange numbers listed in a local telephone directory.