

HOUSE No. 3123

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to telephone directories.

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: The General Laws are hereby amended by adding after Chapter 159C the
2 following new chapter;

3 CHAPTER 159D. Telephone Directory Distribution

4 Section 1. As used in this chapter, the following words shall, unless the context clearly
5 requires otherwise, have the following meanings:—

6 “Telephone Directory”, a printed collection of residential or commercial telephone
7 numbers or addresses or a combination thereof.

8 “Telephone Directory Company”, a business involved in the production or distribution of
9 telephone directories.

10 Section 2. (a) Telephone directory companies shall implement and maintain a database of
11 names and addresses of individuals who wish to opt out of receiving telephone directories. The
12 companies shall maintain a toll-free phone number that consumers may call who wish to add
13 themselves to the opt-out database.

14 (b) Telephone directory companies shall publish in clear print on either the inside or
15 outside of the front or rear cover of the telephone directory the procedure by which customers
16 may opt out of telephone directory delivery.

17 (c) Telephone directory companies shall be prohibited from delivering or mailing
18 telephone directories to a residential address where an individual added themselves to the opt-out
19 database for a period of five years from the date the individual signed up for the opt-out
20 database. Upon direct request from a resident at the address, the telephone directory company
21 may remove the address from the opt-out database before completion of the five year period.

22 (d) The number of telephone directories delivered to a multi-family residence by a
23 telephone directory company shall not exceed the total number of units in the building minus the
24 number of units in the building listed in the opt-out database.

25 (e) Violation of this section shall constitute a violation of Chapter 93A and may be
26 enforced under the procedures available under said chapter.