

HOUSE No. 2615

The Commonwealth of Massachusetts

PRESENTED BY:

Robert F. Fennell

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 adoption of the accompanying bill:

An Act relative to telecommunications and telephone plans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Robert F. Fennell</i>	<i>10th Essex</i>	<i>1/20/2011</i>

HOUSE No. 2615

By Mr. Fennell of Lynn, a petition (accompanied by bill, House, No. 2615) of Robert F. Fennell for legislation to prohibit telecommunication carriers to provide additional services without prior approval of subscribers. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3078 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to telecommunications and telephone plans.

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 166 of the General Laws, as appearing in the 2008 Official Edition,
2 is hereby amended by inserting after section 15 E the following section:-

3 Section 15F. (A) At no time shall any telecommunications carrier add any additional
4 service to, nor bill, said subscriber without the prior written approval of said subscriber. A
5 telephone bill may only contain charges for products or services, the purchase of which the
6 subscriber has authorized. Any offer to add such services shall be in writing in clear and concise
7 language easily discernable by said subscriber in the same type set as all other information on all
8 bills or applications offered to said subscriber.

9 (B) Requirements for billing authorized charges. A telecommunications carrier shall meet
10 all of the following requirements before submitting charges for any product or service to be
11 billed on any subscriber's telephone bill:

12 (1) Inform the subscriber. The telecommunications carrier offering the product or service
13 must thoroughly inform the subscriber of the product or service being offered, including all
14 associated charges, and explicitly inform the subscriber that the associated charges for the
15 product or service will appear on the subscriber's telephone bill.

16 (2) Obtain subscriber authorization. The subscriber must have clearly and explicitly
17 consented to obtaining the product or service offered and to having the associated charge appear
18 on the subscriber's telephone bill. A record of the consent must be maintained by the
19 telecommunications carrier offering the product or service for at least 24 months immediately
20 after the consent was obtained.