

HOUSE No. 226

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Hogan

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 relating to the listing of a business location of certain businesses in a telephone directory or database.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	
<i>John D. Keenan</i>	<i>7th Essex</i>	<i>2/1/2013</i>

HOUSE No. 226

By Ms. Hogan of Stow, a petition (accompanied by bill, House, No. 226) of Kate Hogan and others relative to the listing of a business location of certain businesses in a telephone directory or database. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1881 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relating to the listing of a business location of certain businesses in a telephone directory or database.

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 93A of the General Laws is hereby amended by adding the
2 following section:

3 SECTION 12. (a) A person may not misrepresent the geographical location of a business
4 that derives 50 per cent or more of its gross income from the sale or arranging for the sale of
5 flowers or floral arrangements in the listing of the business in a telephone directory or other
6 directory assistance database.

7 (b) A person is considered to misrepresent the geographical location of a business for
8 purposes of subsection (a) if the name of the business indicates that the business is located in a
9 geographical area and:

10 (1) the business is not located within the geographical area indicated;

11 (2) the listing fails to identify the municipality and state of the business's geographical
12 location; and

13 (3) a telephone call to the local telephone number listed in the directory or database
14 routinely is forwarded or transferred to a location that is outside the calling area covered by the
15 directory or database in which the number is listed.

16 (c) A person may place a directory listing for a business described by subsection (a) the
17 name of which indicates that it is located in a geographical area that is different from the
18 geographical area in which the business is located if a conspicuous notice in the listing states the
19 municipality and state in which the business is located.

20 (d) This section does not apply to a publisher of a telephone directory or other
21 publication or a provider of a directory assistance service publishing or providing information
22 about another business.

23 (e) A violation of this section is a false, misleading, or deceptive act or practice under
24 this chapter, and any public or private right or remedy prescribed by this chapter may be used to
25 enforce this section.