

**HOUSE . . . . . No. 226**

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**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:
<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>

**HOUSE . . . . . No. 226**

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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.

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

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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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.