

**HOUSE . . . . . No. 382**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bradley H. Jones, Jr.***

*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 internet service provider data.

PETITION OF:

| NAME:                         | DISTRICT/ADDRESS:                | DATE ADDED:      |
|-------------------------------|----------------------------------|------------------|
| <i>Bradley H. Jones, Jr.</i>  | <i>20th Middlesex</i>            | <i>1/17/2019</i> |
| <i>Bradford Hill</i>          | <i>4th Essex</i>                 | <i>1/24/2019</i> |
| <i>Elizabeth A. Poirier</i>   | <i>14th Bristol</i>              | <i>1/17/2019</i> |
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i>              | <i>1/17/2019</i> |
| <i>Paul K. Frost</i>          | <i>7th Worcester</i>             | <i>1/30/2019</i> |
| <i>Todd M. Smola</i>          | <i>1st Hampden</i>               | <i>1/31/2019</i> |
| <i>Randy Hunt</i>             | <i>5th Barnstable</i>            | <i>1/28/2019</i> |
| <i>Angelo L. D'Emilia</i>     | <i>8th Plymouth</i>              | <i>1/29/2019</i> |
| <i>Steven S. Howitt</i>       | <i>4th Bristol</i>               | <i>1/30/2019</i> |
| <i>Michael J. Soter</i>       | <i>8th Worcester</i>             | <i>1/31/2019</i> |
| <i>Donald H. Wong</i>         | <i>9th Essex</i>                 | <i>1/31/2019</i> |
| <i>Alyson M. Sullivan</i>     | <i>7th Plymouth</i>              | <i>1/31/2019</i> |
| <i>F. Jay Barrows</i>         | <i>1st Bristol</i>               | <i>2/1/2019</i>  |
| <i>Bruce E. Tarr</i>          | <i>First Essex and Middlesex</i> | <i>2/1/2019</i>  |

**HOUSE . . . . . No. 382**

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By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 382) of Bradley H. Jones, Jr., and others relative to the collection, use, disclosure or dissemination of personal information from customers of telecommunications or internet service providers. Economic Development and Emerging Technologies.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act relative to internet service provider data.

*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, as appearing in the 2016 Official Edition  
2 is hereby amended by inserting after section 114 the following new section:-

3 “Section 115. Notwithstanding any other general or special law to the contrary, no  
4 telecommunications or internet service provider that has entered into a franchise agreement,  
5 right-of-way- agreement, or other contract with the commonwealth of Massachusetts or a  
6 political subdivision, or that uses facilities that are subject to such agreements, even if it is not a  
7 party to the agreement, or otherwise operates in the commonwealth of Massachusetts may  
8 collect, use, disclose or otherwise disseminate, personal information from a customer resulting  
9 from the customer’s use of the telecommunications or internet service provider without express  
10 written approval from the customer. No such telecommunication or internet service provider  
11 shall add an additional surcharge for customers that do not provide their express written  
12 approval, and said providers shall not refuse to provide services to a customer on the grounds

13 that the customer has not approved collection, use, disclosure or other forms of dissemination of  
14 the customer's personal information.

15 A telecommunication or internet service provider shall prohibit the sale of a customer's  
16 personally identifiable information unless the customer expressly, in writing, authorizes the  
17 provider to disclose this information, which the customer may revoke, in writing, at any time."