S T A T E O F N E W Y O R K

4954

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. V. LOPEZ -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to protecting the rights of cell phone users

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 390-d to read as follows:

S 390-D. CELL PHONE USERS' RIGHTS TO NOT RENEW. 1. ANY PERSON, FIRM, CORPORATION, OR OTHER ENTITY THAT HAS ENTERED INTO A CONTRACT WITH A CUSTOMER TO PROVIDE SUCH CUSTOMER WITH CELLULAR PHONE SERVICES FOR A FEE, SHALL NOT TREAT THE CUSTOMER'S ADDITION OF A NEW PHONE LINE TO THE EXISTING SERVICE PLAN AS THE RENEWAL OF SUCH PLAN, AND SHALL NOT EXTEND THE LENGTH OF TIME OF SERVICES ORIGINALLY AGREED TO UNDER CONTRACT.

2. ANY SUCH PERSON, FIRM, CORPORATION, OR OTHER ENTITY SHALL NOT IMPOSE ON THE CUSTOMER ANY SERVICE CHARGE, ADDITIONAL FEE OR ANY OTHER ADDITIONAL COST FOR THE CANCELLATION OF ANY PHONE LINE INCLUDED IN THE CUSTOMER'S SERVICE PLAN OTHER THAN THE PRIMARY PHONE LINE OF SUCH PLAN.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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