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

6935

I N S E N A T E

February 26, 2010

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to cell phone contracts

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 MINUTES. 1. IN THE EVENT A SERVICE CONTRACT IS CANCELLED BY THE CUSTOMER OF A MOBILE PHONE SERVICE CONTRACT, THE MOBILE OR CELLULAR PHONE SERVICE PROVIDER SHALL REFUND THE CUSTOMER, IN A PRORATED FASHION, THE DIFFERENCE BETWEEN THE NUMBER OF DAYS IN A BILLING CYCLE AND THE DAYS USED BY THE CUSTOMER DURING THE COURSE OF THE BILLING CYCLE IN WHICH THE CONTRACT IS CANCELLED.

2. THE DATE OF CANCELLATION SHALL BE THE DATE ON WHICH THE CUSTOMER INFORMS THE MOBILE OR CELLULAR PHONE SERVICE PROVIDER OF CANCELLATION.

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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