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

6952

I N S E N A T E

March 1, 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 CONTRACTS. 1. WRITTEN COPY REQUIREMENT. MOBILE OR CELLULAR PHONE PROVIDERS ARE REQUIRED TO ASK THEIR CUSTOMERS IF THEY WISH TO BE PROVIDED WITH A WRITTEN COPY OF THEIR CONTRACT AT THE TIME THE CUSTOMER ENTERS INTO A CONTRACT FOR SALE OF A MOBILE PHONE DEVICE OR MOBILE PHONE SERVICE.

2. NOTIFICATION OF CHANGES. MOBILE OR CELLULAR PHONE PROVIDERS ARE REQUIRED TO PROVIDE WRITTEN NOTIFICATION OF ANY CHANGE OR ALTERATION TO A CONTRACT FOR SALE OF A MOBILE PHONE DEVICE OR MOBILE PHONE SERVICE.

3. WRITTEN COPY. FOR PURPOSES OF THIS SECTION "WRITTEN COPY" MEANS A PAPER OR ELECTRONIC COPY OF THE CONTRACT THAT IS, OR CAN READILY BE, PRINTED BY THE CUSTOMER AT HIS OR HER LEISURE.

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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