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

5673

2013-2014 Regular Sessions

I N A S S E M B L Y

March 5, 2013

Introduced by M. of A. GIBSON -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to limiting certain charging practices by companies that provide prepaid telephone calling cards and increasing fines for violations of limitation requirements

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

Section 1. Section 92-f of the public service law is amended by adding a new subdivision 4-a to read as follows:

4-A. NO COMPANY THAT PROVIDES PREPAID CALLING SERVICES THROUGH PREPAID CALLING CARDS SHALL:

A. CALCULATE USAGE CHARGES BY ROUNDING UP BEYOND THE NEXT MINUTE FOR TELEPHONE PHONE CALLS;

B. CHARGE MINUTES FOR UNCONNECTED TELEPHONE PHONE CALLS, INCLUDING CALLS THAT ARE DROPPED OR TO WHICH THERE IS NO ANSWER OR A BUSY SIGNAL;

C. PUBLICIZE OR DISPLAY ADVERTISEMENTS STATING THAT THERE IS NO CONNECTION FEE ASSOCIATED WITH A PLAN OR CALLING CARD IF THERE IS A DISCONNECTION FEE ASSOCIATED WITH THE PLAN OR CALLING CARD.

S 2. Subdivision 8 of section 92-f of the public service law, as added by chapter 651 of the laws of 1999, is amended to read as follows:

8. Enforcement. The commission shall have the power, consistent with federal law, to assess a penalty not to exceed [one] FIVE thousand dollars against any company that provides prepaid calling cards or services that knowingly fails or neglects to comply with any provision of this section or any regulation or order of the commission implementing or enforcing the provisions of this section FOR A FIRST VIOLATION AND TEN THOUSAND DOLLARS FOR A SECOND OR SUBSEQUENT VIOLATION. All moneys recovered from any administrative penalty shall be paid into the state treasury to the credit of the general fund.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.

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

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