



654414

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/10/2010	.	
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The Committee on Commerce (Justice) recommended the following:

Senate Amendment

Delete lines 41 - 70
and insert:

that has an automatic renewal provision, unless the consumer cancels the contract, shall disclose the automatic renewal provision clearly and conspicuously in the contract or contract offer.

(b) Any seller that sells or offers to sell any service to a consumer pursuant to a service contract the term of which is a specified period of 12 months or more and that automatically renews for a specified period of more than 1 month, unless the consumer cancels the contract, shall provide the consumer with



654414

14 written or electronic notification of the automatic renewal
15 provision. Notification shall be provided to the consumer no
16 less than 30 days or no more than 60 days before the
17 cancellation deadline pursuant to the automatic renewal
18 provision. Such notification shall disclose clearly and
19 conspicuously:

20 1. That unless the consumer cancels the contract the
21 contract will automatically renew.

22 2. Methods by which the consumer may obtain details of the
23 automatic renewal provision and cancellation procedure, whether
24 by contacting the seller at a specified telephone number or
25 address, by referring to the contract, or by any other method.

26 (c) A seller that fails to comply with the requirements of
27 this subsection is in violation of this subsection unless the
28 seller demonstrates that:

29 1. As part of the seller's routine business practice, the
30 seller has established and implemented written procedures to
31 comply with this section and enforces compliance with the
32 procedures.

33 2. Any failure to comply with this subsection is the result
34 of error; and

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