



924684

LEGISLATIVE ACTION

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

Senate Amendment (with title amendment)

Between lines 95 and 96
insert:

(3) RENEWAL OF CONTRACTS BY COMMERCIAL MOBILE RADIO SERVICE PROVIDERS.—

(a) A commercial mobile radio service provider, as defined in s. 364.02(3), is subject to subsection (2) if a service contract contains an automatic renewal provision.

(b) A commercial mobile radio service provider must provide written conspicuous notice to a consumer and a consumer must accept in writing the renewal of a service contract if the contract is renewed for more than one month by any of the



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14 following actions:

15 1. A consumer is offered, accepts, or requests a good,
16 service, or promotion.

17 2. A change is made to the consumer's contract terms.

18 3. A change is made to the consumer's subscription
19 services.

20 4. A consumer buys new service equipment or his or her
21 service equipment is repaired or replaced.

22 (c) If a commercial mobile radio service provider does not
23 provide the notice and receive written acceptance from the
24 consumer as required in paragraph (b), the service contract
25 becomes voidable at the election of the consumer. If the service
26 contract is voided by the consumer, the commercial mobile radio
27 service provider may not continue to seek payment for services
28 under the contract and the commercial mobile radio service
29 provider may not assess a fee or charge against a consumer
30 electing to void the contract.

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33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Between lines 10 and 11

36 insert:

37 requiring a commercial mobile radio service provider to
38 provide conspicuous notice to consumers if a contract is renewed
39 for more than one month by certain actions taken; requiring a
40 consumer to accept in writing the renewal of a contract;
41 providing for the voidability of a contract if notice is not
42 provided to a consumer and the consumer has not accepted in



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43 writing the renewal of a contract; prohibiting a commercial
44 mobile radio service provider from charging a fee when a
45 consumer is permitted by law to void a contract;
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