State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION   **H. F. No.** **2803**

03/12/2012   Authored by Johnson and Atkins
      The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1   A bill for an act
1.2   relating to wireless telecommunications; requiring wireless telecommunications
1.3   service providers to alert customers whose usage approaches or exceeds their
1.4   contract limit; proposing coding for new law in Minnesota Statutes, chapter 325F.

1.5   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6   Section 1. **[325F.992] WIRELESS TELEPHONE SERVICES; LIMIT ALERTS.**

1.7   Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings

1.8   given them in this subdivision.

1.9   (b) "Contract" means an oral or written agreement of definite duration between

1.10   a provider and a customer, detailing the wireless telecommunications services to be

1.11   provided to the customer and the terms and conditions for provision of those services.

1.12   (c) "Customer" means a party to a valid current contract with a provider to receive

1.13   wireless telecommunications services.

1.14   (d) "Provider" means a provider of wireless telecommunications services.

1.15   (e) "Wireless telecommunications services" means commercial mobile radio services

1.16   as defined in Code of Federal Regulations, title 47, part 20.

1.17   Subd. 2. **Alert required.** (a) A provider must send a text message or voice alert

1.18   to a customer:

1.19   (1) when the customer's aggregate use of wireless telecommunications services

1.20   reaches within five percent of the customer's voice, text, or data limit established in the

1.21   contract between the customer and the provider; and

1.22   (2) with each use of the service for which the contract limit has been reached.

1.23   (b) The text message or voice alert required under paragraph (a) must inform the

1.24   customer that the customer's usage is approaching or has exceeded the contract limit for

2.1   that service and that usage exceeding the limit will be charged at the higher rate specified

2.2   in the contract.

2.3   **EFFECTIVE DATE.** This section is effective January 1, 2013.