

Senate Bill 395

By: Senators Staton of the 18th, Shafer of the 48th, Chapman of the 3rd, Chance of the 16th, Douglas of the 17th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated,
2 relating to general provisions concerning telephone and telegraph service, so as to provide
3 that no contract for cellular telephone service entered into in this state shall contain a
4 requirement that such contract be extended or renewed for a longer term in order for the
5 subscriber to obtain a change in the level or type of service provided under the contract; to
6 provide that no cellular telephone service provider shall require that any of its subscribers
7 enter into an extension or renewal of an existing cellular telephone service contract in order
8 to obtain a change in the level or type of cellular telephone service provided by such
9 provider; to provide for related matters; to provide for applicability; to repeal conflicting
10 laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Article 1 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to
14 general provisions concerning telephone and telegraph service, is amended by adding a new
15 Code Section 46-5-9 to read as follows:

16 "46-5-9.

17 (a) On and after July 1, 2006, no subscription contract for cellular telephone service
18 entered into in this state shall contain any provision or requirement that any change
19 requested by the subscriber in the level or type of cellular telephone service provided under
20 the contract shall require that such contract be extended or renewed for a longer term.

21 (b) On and after July 1, 2006, no cellular telephone service provider in this state shall
22 require that any subscriber enter into an extension or renewal of an existing cellular
23 telephone service contract in order to obtain a change in the level or type of cellular
24 telephone service provided to such subscriber by such provider.

25 (b) This Code section shall not apply to any contracts that were in existence prior to July 1,
26 2006."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.