

House Bill 302

By: Representatives Hamilton of the 23<sup>rd</sup>, Collins of the 27<sup>th</sup>, Loudermilk of the 14<sup>th</sup>,  
Amerson of the 9<sup>th</sup>, Rogers of the 26<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated,  
2 relating to telecommunications and competition development, so as to change the  
3 requirements to be met prior to a telecommunications company charging a customer for any  
4 service provided by a third party; to provide for related matters; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 4 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to  
9 telecommunications and competition development, is amended by revising Code Section  
10 46-5-171.1, relating to written authorization required by customer prior to being charged for  
11 service initiated by a third party, to read as follows:

12 "46-5-171.1.

13 (a) Except as provided in subsection (b) of this Code section, no telecommunications  
14 company shall charge a customer for any service which is provided to the customer by a  
15 nonaffiliated third party until such third party has ~~certified~~ provided to the  
16 telecommunications company ~~that the third party has received~~ the customer's written  
17 authorization for such charges and the telecommunications company has provided a copy  
18 of such customer's written authorization to the customer. When a customer initiates a new  
19 type of such third-party service or changes the type or types of such third-party service  
20 received, the invoice for such new or changed services must state the charges for such  
21 services in a clear, conspicuous, separate, and distinct manner so as to ensure that the  
22 customer is aware of the new or changed charges.

23 (b) This Code section shall not apply to any transaction between a customer and that  
24 customer's selected provider of basic local exchange, inter-LATA, or intra-LATA  
25 telecommunications services or initial requests to subscribe to such services; wireless  
26 services; requests for a change in a customer's provider of local exchange service or a

27 change in a customer's primary interexchange inter-LATA or intra-LATA carrier; or  
28 customer initiated use of abbreviated dialing codes or other pay-per-use services."

29 **SECTION 2.**

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