

The House Committee on Energy, Utilities and Telecommunications offers the following substitute to HB 302:

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 require
3 telecommunications companies to provide customers with the ability to block nonaffiliated
4 third-party services and associated charges; to provide for related matters; to provide for an
5 effective date; to repeal conflicting laws; 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 to the telecommunications
16 company that the third party has received the customer's written authorization for such
17 charges. When a customer initiates a new type of such third-party service or changes the
18 type or types of such third-party service received, the invoice for such new or changed
19 services must state the charges for such services in a clear, conspicuous, separate, and
20 distinct manner so as to ensure that the customer is aware of the new or changed charges.
21 Any telecommunications company that charges a customer for a service which is provided
22 to the customer by a nonaffiliated third party must provide to such customer the ability to
23 block the nonaffiliated third-party service and any charges associated with such service.

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

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

30 **SECTION 2.**

31 This Act shall become effective on January 1, 2010.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.