

House Bill 1039

By: Representatives Watson of the 172nd, Rhodes of the 120th, LaHood of the 175th, Corbett of the 174th, and Burchett of the 176th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 12 of Title 13 of the Official Code of Georgia Annotated, relating to
2 automatic renewal provisions, so as to provide additional protections for consumers who
3 enter into service contracts that contain lengthy automatic renewal provisions; to provide for
4 related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 12 of Title 13 of the Official Code of Georgia Annotated, relating to automatic
8 renewal provisions, is amended by revising Code Section 13-12-3, relating to notice to
9 consumer prior to automatic renewal of a service contract, as follows:

10 "13-12-3.

11 (a) Any seller that sells, leases, or offers to sell or lease any service to a consumer pursuant
12 to a service contract for a specified period of 12 months or more and that automatically
13 renews for a specified period of more than one month, unless the consumer cancels the
14 contract, shall provide the consumer with written or electronic notification of the automatic
15 renewal provision. Notification shall be provided to the consumer no less than 30 days or
16 no more than 60 days before the cancellation deadline pursuant to the automatic renewal
17 provision. Such notification shall disclose clearly and conspicuously:

18 (1) That unless the consumer cancels the contract, the contract will automatically renew;
19 and

20 (2) The methods by which the consumer may obtain details of the automatic renewal
21 provision and cancellation procedure, including contacting the seller at a specified
22 telephone number or address, referring to the contract, or any other method.

23 (b) For any contract for service to a consumer that automatically renews for a specified
24 period of more than 12 months, the seller shall, in addition to providing the notification
25 required under subsection (a) of this Code section, obtain the following for the automatic
26 renewal provision of such contract to be enforceable:

- 27 (1) Written or electronic acknowledgment from the consumer of receipt of the
28 notification required under subsection (a) of this Code section; and
29 (2) An affirmative written or electronic response that the consumer does not intend to
30 terminate the service contract."

31 **SECTION 2.**

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