

AMENDED IN SENATE AUGUST 6, 2002  
AMENDED IN ASSEMBLY APRIL 1, 2002  
AMENDED IN ASSEMBLY MARCH 18, 2002  
AMENDED IN ASSEMBLY FEBRUARY 28, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1814**

**Introduced by Assembly Member Reyes**

January 16, 2002

---

An act to add Chapter 22 (commencing with Section 22520) to Division 8 of the Business and Professions Code, relating to Internet service providers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1814, as amended, Reyes. Internet service providers: notice of service termination.

Existing law does not require an Internet service provider to notify a customer of proposed service termination.

This bill, unless otherwise ~~provided~~ *permitted* by law or contract, would require an Internet service provider, ~~prior to voluntarily exiting the business of providing Internet service connections,~~ to provide *to each affected customer* 30 days' advance notice of proposed transfer of service to another Internet service provider or of proposed service termination ~~of service to each affected customer under certain conditions. The bill~~ and would require a transfer of service to be without charge. *The bill would also prohibit a contract from permitting termination of service with cause without less than 30 days' notice.* The

bill would also preempt any local government regulation of this subject matter, *and would become inoperative if federal law is enacted on this subject.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 22 (commencing with Section 22520) is added to Division 8 of the Business and Professions Code, to read:

CHAPTER 22. INTERNET SERVICE PROVIDERS

22520. (a) (1) Unless otherwise permitted by law or contract, an Internet service provider, or any person, firm, or corporation representing the Internet service provider, ~~prior to the Internet service provider voluntarily exiting the business of providing Internet connection service to all of the provider's customers or to an entire class of the provider's customers, shall~~ shall provide those affected customers with a written or electronic notice at least 30 days prior to the proposed transfer of those customers to another Internet service provider or the termination of service. The notice *to affected customers* shall include all of the following:

(A) A straightforward description of any proposed transfer.

(B) All applicable rates, terms, and conditions of a proposed new service.

(C) A statement that the customer has the right to transfer to another Internet service provider.

(D) A toll-free customer service telephone number for the purpose of responding to customers' questions.

(2) Any transfer of customer services described in this section shall be effectuated without charge to the customer.

(b) This section supersedes and preempts all rules, regulations, codes, statutes, or ordinances of all cities, counties, cities and counties, municipalities, and other local agencies regarding notice of service termination or transfer of customers by Internet service providers.

1     (c) *A contract for Internet service shall not permit termination*  
2 *of service by the Internet service provider without cause with less*  
3 *than 30 days' notice to the customer.*

4     (d) *This section or any provision of this section shall become*  
5 *inoperative on and after the date that a federal law is enacted that*  
6 *regulates notice requirements for termination of Internet service*  
7 *by Internet service providers.*

