

Assembly Bill No. 1814

Passed the Assembly August 30, 2002

Chief Clerk of the Assembly

Passed the Senate August 28, 2002

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2002, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

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, 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 permitted by law or contract, would require an Internet service provider to provide to each affected customer 30 days' advance notice of proposed transfer of service to another Internet service provider or of proposed termination of service 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.

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 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.

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

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



Approved _____, 2002

Governor

