HOUSE DOCKET, NO. FILED ON: 1/10/2009

**HOUSE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**John D. Keenan**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to rebate reform and consumer protection.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| John D. Keenan | 7th Essex |
| Mary E. Grant | 6th Essex |
| Christine E. Canavan | 10th Plymouth |
| Kay Khan | 11th Middlesex |
| David P. Linsky | 5th Middlesex |
| Tom Sannicandro | 7th Middlesex |
| Cleon H. Turner | 1st Barnstable |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 167 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to rebate reform and consumer protection.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Chapter 93A of the General Laws is hereby amended by adding the following section:-

Section 12A for the purposes of this section a social referral service contract shall be defined as any service for a fee providing for the matching of members of consenting adults by use of computer or any other means, for the purpose of dating and general social contact. No social referral contract shall extend for a period of time exceeding 2 years. No such contract shall require the purchaser to purchase a good or service which is directly or indirectly related to the social referral service. Such services shall be known as ancillary services which they shall not be required as a condition of the social referral service contract.

If the cost of such contract exceeds $25, the seller must furnish the consumer with a minimum number of referrals each month. If the minimum number of referrals is not met for 2 successive months, the consumer shall have the option of canceling the contract and receiving a full refund minus a cancellation fee not to exceed 15 percent of the contract price or a pro rata amount based on the number of referrals furnished. Such contracts shall specify the distance the consumer is willing to travel to meet a social referral. Such contracts shall contain a policy to address the situation of the consumer moving outside the area service. Violations of such contracts may be adjudicated in a court of competent jurisdiction.

Such contracts shall provide the consumer the right to place his membership on hold for a period not to exceed 1 year provided, however the agency and consumer may agree to a longer period not to exceed 2 years. Each contract shall provide that the consumer may cancel within 3 days of execution without fee. Such cancellation shall be by certified or registered to an address specified in the contract.