

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

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**The Commonwealth of Massachusetts**

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 Regulating Social Referral Service Contracts.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John D. Keenan	7th Essex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT REGULATING SOCIAL REFERRAL SERVICE CONTRACTS.

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

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

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3 Section 12A for the purposes of this section a social referral service contract shall be defined as any  
4 service for a fee providing for the matching of members of consenting adults by use of computer or any  
5 other means, for the purpose of dating and general social contact. No social referral contract shall  
6 extend for a period of time exceeding 2 years. No such contract shall require the purchaser to purchase  
7 a good or service which is directly or indirectly related to the social referral service. Such services shall  
8 be known as ancillary services which they shall not be required as a condition of the social referral  
9 service contract. No contract shall be valid without a purchaser having a face to face meeting with the  
10 provider and provider has the right to ask for a valid identification.

11 Matchmakers shall follow the Code of Ethics promulgated by the Matchmaking Institute. Matchmakers  
12 must meet industry standards set forth by said Institute subject to annual operational audit.

13 Matchmakers must be incorporated and registered with the Secretary of State and bonded up to  
14 \$25,000

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16 If the cost of such contract exceeds \$25, the seller must furnish the consumer with a minimum number  
17 of referrals which shall be stated in the contract. If the minimum number of referrals is not met within  
18 the contractual agreement , the consumer shall have the option of canceling the contract and receiving  
19 a refund fee not to exceed 15 percent of the contract price or a pro rata amount based on the number  
20 of referrals furnished. Such contracts shall specify the distance the consumer is willing to travel to meet  
21 a social referral. Such contracts shall contain a policy to address the situation of the consumer moving

22 outside the area service. Violations of such contracts may be adjudicated in a court of competent  
23 jurisdiction.

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25 Such contracts shall provide the consumer the right to place his membership on hold for a period not to  
26 exceed 1 year provided, however the agency and consumer may agree to a longer period not to exceed  
27 2 years. Each contract shall provide that the consumer may cancel within 3 days of execution. If there is  
28 a cancellation fee, it must be clearly stated within the contract. Such cancellation shall be by certified or  
29 registered to an address specified in the contract.

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31 The Executive Office of Public Safety shall promulgate regulations; allowing Certified Matchmakers to be  
32 granted access to the Massachusetts Criminal Systems History Board for CORI checks on all members;  
33 requiring matchmakers to cross check members against National Sex Offender Registry Board and or  
34 when appropriate the Mass SORB.

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