



General Assembly

Amendment

February Session, 2024

LCO No. 5507



Offered by:

SEN. HARDING, 30th Dist.

SEN. MARTIN, 31st Dist.

SEN. CICARELLA, 34th Dist.

To: Subst. Senate Bill No. 3

File No. 182

Cal. No. 133

(As Amended by Senate Amendment Schedules "A" and "B")

"AN ACT CONCERNING CONSUMER PROTECTION."

1 Strike section 6 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 6. (NEW) (*Effective October 1, 2024*) (a) As used in this section:

4 (1) "Person" means an individual, association, corporation, limited
5 liability company, partnership, trust or other legal entity;

6 (2) "Streaming service" means a service that (A) is available on a
7 subscription basis, and (B) delivers audio, video or audio and video
8 content in a compressed form over the Internet in real time;

9 (3) "Streaming service provider" means a person doing business in
10 this state who (A) charges a subscriber for a streaming service, and (B)
11 is in possession of the subscriber's subscription date, billing dates and

12 contact information; and

13 (4) "Subscriber" means a person in this state who subscribes to a
14 streaming service offered or provided by a streaming service provider.

15 (b) Except as provided in subsection (c) of this section:

16 (1) If a streaming service provider offers or provides any streaming
17 service to a subscriber in exchange for a charge that is less than thirty
18 dollars per billing period, to a subscriber who has been a subscriber for
19 a period of less than three full billing periods or to a subscriber whose
20 subscription term is longer than one month in duration, the streaming
21 service provider shall, if the subscriber submits to such streaming
22 service provider a request to cancel such subscriber's subscription to
23 such streaming service:

24 (A) Send notice to such subscriber confirming that such streaming
25 service provider (i) has received such cancellation request, and (ii) shall
26 cancel such subscription at the end of the subscription term during
27 which such streaming service provider received such cancellation
28 request;

29 (B) Cancel such subscription at the end of the subscription term
30 during which such streaming service provider received such
31 cancellation request; and

32 (C) Not impose any charge on such subscriber for such cancelled
33 subscription for any period after the subscription term during which
34 such streaming service provider received such cancellation request; or

35 (2) If a streaming service provider offers or provides any streaming
36 service to a subscriber on a month-to-month basis in exchange for a
37 charge that is at least thirty dollars per monthly billing period, and such
38 subscriber has been a subscriber to such month-to-month streaming
39 service for at least three full monthly billing periods, the streaming
40 service provider shall, at the option of such subscriber:

41 (A) (i) Cancel such subscriber's subscription at the end of the monthly

42 billing period during which such streaming service provider receives a
43 cancellation request from such subscriber, (ii) send notice to such
44 subscriber confirming that such streaming service provider (I) has
45 received such cancellation request, and (II) shall cancel such
46 subscription at the end of such monthly billing period, and (iii) not
47 impose any charge on such subscriber for such cancelled subscription
48 for any period after such monthly billing period; or

49 (B) (i) Immediately cancel such subscriber's subscription on the date
50 such streaming service provider receives a cancellation and pro rata
51 rebate request from such subscriber, (ii) send notice to such subscriber
52 confirming that such streaming service provider (I) has received such
53 cancellation and pro rata rebate request, (II) immediately cancelled such
54 subscriber's subscription, and (III) shall provide to such subscriber a pro
55 rata rebate for all days of the monthly billing period during which such
56 streaming service provider received such cancellation and pro rata
57 rebate request, (iii) provide such pro rata rebate to such subscriber, and
58 (iv) not impose any charge on such subscriber for such cancelled
59 subscription for any period after the date on which such streaming
60 service provider received such cancellation and pro rata rebate request.

61 (c) (1) Not later than September 1, 2025, and annually thereafter, the
62 Commissioner of Consumer Protection shall (A) adjust the monthly
63 billing thresholds set forth in subsection (b) of this section in accordance
64 with any change in the consumer price index for all urban consumers
65 for the preceding calendar year, as published by the United States
66 Department of Labor, Bureau of Labor Statistics, and (B) post such
67 adjusted monthly billing thresholds on the Department of Consumer
68 Protection's Internet web site.

69 (2) Each adjustment made pursuant to subdivision (1) of this
70 subsection shall apply for the twelve-month period beginning on
71 October first of the same calendar year in which the Commissioner of
72 Consumer Protection made such adjustment.

73 (d) Notwithstanding the provisions of subsections (a) to (c), inclusive,

74 of this section, the provisions of said subsections shall not be effective
75 until at least thirty other states have adopted legislation that establishes
76 requirements that are similar to the requirements established in said
77 subsections."

This act shall take effect as follows and shall amend the following sections:		
Sec. 6	October 1, 2024	New section