

HOUSE No. 4799

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 28, 2008.

The committee on Ways and Means, to whom was referred the Bill relative to the sale of prepaid cell phones (House, No. 3277), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4799).

For the committee,

ROBERT A. DELEO.

The Commonwealth of Massachusetts

In the Year Two Thousand and Eight.

AN ACT RELATIVE TO THE SALE OF PREPAID CELL PHONES.

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 269 of the General Laws is hereby amended by
2 inserting after section 14A the following section:—

3 Section 14B. (a) Any person making a retail sale of a prepaid
4 cell phone shall, as a precondition to the sale, obtain and photo-
5 graph or photocopy one or more documents identifying the pur-
6 chaser by name and providing his address. The seller shall, for
7 each retail sale, make and keep for a period of 2 years a record
8 which shall include, but not be limited to, the following: (1) the
9 serial number and manufacturer of the phone; (2) the phone
10 number assigned to the cell phone; (3) the service supplier who
11 will supply wireless service to the phone; and (4) a copy of all
12 documents related to the identification of the purchaser.

13 (b) Any person making a retail sale of a prepaid cell phone
14 shall, within 45 days of said sale, transmit a copy of the record of
15 said sale required pursuant to subsection (a) to the wireless
16 service supplier supplying service to the phone as well as the
17 attorney general of the commonwealth.

18 (c) All wireless service suppliers shall maintain the records
19 supplied to them under this section for a period of at least 2 years.

20 (d) Any person who knowingly violates the provisions of this
21 section shall be subject to a fine of \$50 per offense. Each separate
22 transaction for which required records are not generated or main-
23 tained shall constitute a separate offense.

24 (e) The attorney general shall promulgate regulations for the
25 administration and enforcement of this section.