

SENATE NO. 258

AN ACT RELATIVE TO INTERNET SALES

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

1 SECTION 1. Section 28A of Chapter 140D of the General Laws, as appearing in the 2000
2 Official Edition, is hereby amended by adding at the end thereof the following subsection: -
3 (c) Notwithstanding paragraph 2 of subsection (a), a charge assessed by a seller in any
4 sales transaction for goods or services effected by the use of the telephone or the Internet that is
5 regulated pursuant to Chapter 169 where a credit card is accepted as payment therefore and for
6 which the charge assessed is greater than the charge imposed when such payment is made in
7 cash or similar means, shall not constitute a surcharge for the purpose of the section. A money
8 transfer company subject to this provision, and that provides services effected by the use of the
9 telephone or the Internet shall disclose to the consumer, prior to the transaction being
10 consummated, (1) the total charge for the funds transmission, and (2) the charge for a funds
11 transmission service may differ based on the distribution channel used in the transaction.