

**REVENUE:** No revenue impact

**FISCAL:** No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	7 - 0 - 0
<b>Yeas:</b>	Boone, Esquivel, Fagan, Huffman, Parrish, Witt, Matthews
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Elizabeth Edwards, Administrator
<b>Meeting Dates:</b>	3/12, 4/11, 4/16

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**WHAT THE MEASURE DOES:** Allows active service members to suspend or terminate telecommunications services, internet services, television services, health spa services, and health club exercise or athletic activities via written notice to service providers. Requires service member to provide proof of official orders showing active status with written notice of suspension or termination. Permits proof of active status to be provided within 90 days of written notice if delay prompted by military necessity or other reasonable circumstances. Makes suspension or termination effective upon day written notice given. Authorizes service members to reinstate suspended or terminated services on same terms and conditions with written notice to provider within 90 days of termination of active status. Requires providers reinstate same or substantially similar services within 30 days of receipt of written notice. Prohibits providers from charging penalties, fees, lost deposits or other costs to service members for terminating, suspending or reinstating services. Prohibits service members from being liable for payment during suspension.

**ISSUES DISCUSSED:**

- Difficulty of unwinding athletic club or gym memberships
- Potential changes to language of bill impacting telecommunication services
- How bill would integrate with Servicemembers Civil Relief Act and Unlawful Trade Practices Act
- Amendment result of consultation between Oregon Military Department and industry
- Responsibility of servicemember to act and prove deployment
- Disseminating information to servicemembers
- Enabling family members to act, use of power of attorney
- Difficulty cancelling contracts once servicemember is deployed
- Intent that amendments regarding emergency clause and spouse involvement in contracts be considered
- Many in industry are tremendously accommodating and work with soldiers readying to deploy

**EFFECT OF COMMITTEE AMENDMENT:** Adds option to terminate service in addition to suspending service. Adds television services, including but not limited to cable television, direct satellite and other television-like services.

**BACKGROUND:** When service members are called to duty away from their Home of Record, they may be unable to utilize services which carry long term contracts, including internet, telecommunications, health clubs and spas. As a result, service members routinely incur monthly expenses, penalties or fines.

In 2009, the Legislature passed HB 3020A incorporating the consumer protection provisions of the federal Servicemembers Civil Relief Act ("SCRA") into Oregon's Unlawful Trade Practices Act ("UTPA"). The UTPA is the body of general consumer protection laws in Oregon. The SCRA contains a provision for the termination of telephone service contracts but not for athletic facility contracts. House Bill 2083A allows service members to suspend or terminate internet, telecommunications, television, health club and spa contractual services when ordered to report for military duty.

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*This summary has not been adopted or officially endorsed by action of the committee.*