

REVENUE: No revenue impact

FISCAL: No fiscal impact

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Action: Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

Vote: 4 - 0 - 0

Yeas: Monnes Anderson, Olsen, President Courtney, Boquist

Nays: 0

Exc.: 0

Prepared By: Cheyenne Ross, Administrator

Meeting Dates: 5/16, 5/23, 5/30

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**WHAT THE MEASURE DOES:** Allows active servicemembers 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 servicemember 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 servicemembers 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 for termination, suspension or reinstatement. Relieves servicemembers from liability for payment during suspension. Incorporates provision of Servicemember Civil Relief Act by reference, for termination of commercial mobile radio services.

**ISSUES DISCUSSED:**

- Provisions of measure
- Support of telecommunications community
- Oregon Military Department responsibility to inform servicemembers
- Provisions of amendment

**EFFECT OF COMMITTEE AMENDMENT:** Deletes “telephone services, text messaging services and cellular telephone services” and incorporates 50 United States Code appendix section 525a, on termination of telephone service contracts.

**BACKGROUND:** When servicemembers are called to duty away from their Home of Record, they may not be able to utilize services they have contracted for, such as internet, telecommunications, and health club memberships.

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