

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2551 Session of 2010

INTRODUCED BY SCAVELLO, ADOLPH, BARBIN, BARRAR, BELFANTI, BENNINGHOFF, BOBACK, BOYD, BROOKS, BROWN, BUXTON, CALTAGIRONE, CARROLL, CASORIO, CAUSER, CHRISTIANA, CLYMER, COHEN, CONKLIN, D. COSTA, P. COSTA, COX, CREIGHTON, CRUZ, CURRY, CUTLER, DALEY, DAY, DEASY, DELOZIER, DePASQUALE, DeWEESE, ELLIS, J. EVANS, EVERETT, FABRIZIO, FAIRCHILD, FLECK, FREEMAN, GABIG, GABLER, GEIST, GEORGE, GERGELY, GIBBONS, GINGRICH, GRELL, GROVE, GRUCELA, HARHAI, HARHART, HARKINS, HARPER, HARRIS, HELM, HENNESSEY, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, M. KELLER, W. KELLER, KORTZ, KOTIK, KRIEGER, LEVDANSKY, LONGIETTI, MAHER, MAJOR, MANDERINO, MARKOSEK, MARSHALL, MATZIE, McGEEHAN, McILVAINE SMITH, MELIO, METCALFE, MICCARELLI, MILLARD, MILLER, MILNE, MIRABITO, MOUL, MURPHY, MURT, MUSTIO, OBERLANDER, PALLONE, PARKER, PAYNE, PAYTON, PEIFER, PERRY, PERZEL, PICKETT, PRESTON, QUINN, RAPP, READSHAW, REED, REESE, REICHLEY, ROAE, ROEBUCK, ROSS, SABATINA, SAINATO, SAMUELSON, SANTARSIERO, SANTONI, SAYLOR, SEIP, SHAPIRO, SIPTROTH, SONNEY, STEVENSON, SWANGER, TALLMAN, J. TAYLOR, R. TAYLOR, TRUE, TURZAI, VEREB, VITALI, VULAKOVICH, WANSACZ, WATERS, WHITE, WILLIAMS, YOUNGBLOOD AND YUDICHAK, JUNE 1, 2010

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 1, 2010

AN ACT

1 Amending the act of December 17, 1968 (P.L.1224, No.387),
2 entitled "An act prohibiting unfair methods of competition
3 and unfair or deceptive acts or practices in the conduct of
4 any trade or commerce, giving the Attorney General and
5 District Attorneys certain powers and duties and providing
6 penalties," further providing for definitions.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 2(4)(xxi) of the act of December 17, 1968
10 (P.L.1224, No.387), known as the Unfair Trade Practices and

Consumer Protection Law, reenacted and amended November 24, 1976 (P.L.1166, No.260) and December 4, 1996 (P.L.906, No.146), is amended and the clause is amended by adding a subclause to read:

Section 2. Definitions.--As used in this act.

* * *

(4) "Unfair methods of competition" and "unfair or deceptive acts or practices" mean any one or more of the following:

* * *

(xxi) Failing to permit an individual who signed a contract for the provision of direct-to-home satellite transmission service to rescind the contract without penalty regardless of where the contract was signed, within seven days of the date of signing and failing to provide the individual, without charge, a completed copy of the contract at the time the contract is executed which shall contain a notice explaining the individual's right to rescind the contract. As used in this subclause, "direct-to-home satellite transmission" shall mean the transmission, distribution or broadcasting of video programming or services by satellite directly to the premises of an individual who has subscribed to the programming or services without the use of ground receiving or distribution equipment, except at the premises or in an uplink process to the satellite.

[(xxi)] (xxii) Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.

Section 2. This act shall take effect in 60 days.