

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 49 Session of 2011

INTRODUCED BY SCAVELLO, BARRAR, BOYD, CALTAGIRONE, CAUSER, CONKLIN, DEASY, DeLUCA, DeWEESE, J. EVANS, EVERETT, FLECK, GABLER, GEIST, GEORGE, GINGRICH, GOODMAN, HARHART, HARKINS, HESS, HICKERNELL, HORNAMAN, KNOWLES, KORTZ, LONGIETTI, MATZIE, METCALFE, MILLARD, MILLER, MURPHY, READSHAW, ROEBUCK, K. SMITH, SONNEY, TALLMAN, VULAKOVICH, WAGNER, WHITE, YOUNGBLOOD, GRELL, FABRIZIO, REICHLEY, COHEN, JOSEPHS, CRUZ, O'NEILL AND J. TAYLOR, JANUARY 19, 2011

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 19, 2011

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

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

16 * * *

17 (4) "Unfair methods of competition" and "unfair or deceptive

1 acts or practices" mean any one or more of the following:

2 * * *

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

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

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