
**Community Development, Housing &
Tribal Affairs Committee**

HB 2718

Brief Description: Providing consumer protections for military members on active duty.

Sponsors: Representatives Kilduff, McCabe, Muri, Wilson, Stanford and Jinkins.

Brief Summary of Bill

- Allows military service members to cancel or suspend certain service contracts when called into active duty and to resume the services upon return from active duty.

Hearing Date: 1/26/16

Staff: Sean Flynn (786-7124).

Background:

Federal and state law provides certain consumer protections for military members who are called into active duty service. The federal Service Members' Civil Relief Act (SCRA) of 2003 provides economic and legal protections from financial obligations and liability for service members while in federal active duty. The state enacted a version of the SCRA in 2005 that included similar protections and extended coverage of the federal protections for reserve and National Guard members called into state active duty.

The Attorney General may enforce violations of the federal or state SCRA on behalf of a service member. The Attorney General's office also provides consumer protection resources for veterans and military members.

Summary of Bill:

A military service member may terminate or suspend certain service contracts that are interrupted by the service member being called into federal or state active duty service. The right

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applies to the following services: telecommunication, health club, Internet, and subscription television.

In order to terminate or suspend a service contract, the service member must notify the service provider with written proof of active duty orders. The contract termination or suspension is effective on the day notice is given to a service provider and may not end or alter any preexisting contractual obligations for services rendered. No penalty, charge, or liability may apply for the contract termination.

A service member may reinstate service within 90 days upon returning from active duty. If the active duty period was less than a year, the service provider must offer the same terms and conditions that applied when the contract was suspended. If the active duty period was over a year, then the service provider must offer the lowest rate offered to any consumer with the previous year. The provision of services must be the same or reasonably similar to the original services provided.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.