



2009 ASSEMBLY BILL 26

February 5, 2009 – Introduced by Representatives SCHNEIDER and BIES. Referred to Committee on Energy and Utilities.

1 **AN ACT** *to create* 100.58 of the statutes; **relating to:** contracts for commercial
2 mobile telephone service.

Analysis by the Legislative Reference Bureau

This bill regulates monthly service contracts for mobile telephone service, commonly known as cellular telephone service. The bill defines a monthly service contract as a contract that entitles a person, for a monthly fee, to a limited amount of access to mobile telephone service. Under the bill, a service provider may not enter into a monthly service contract unless the contract provides that the access time that has accrued to the customer continues to be available for the customer's use (or "rolls over") until approximately one year after the month in which the access time accrued, or the expiration of the contract, whichever is sooner.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 100.58 of the statutes is created to read:
4 **100.58 Contracts for mobile telephone service.** (1) In this section:
5 (a) "Access time" means a period of time in which a person is entitled to use
6 commercial mobile service provided by a mobile telephone service provider.

ASSEMBLY BILL 26**SECTION 1**

1 (b) “Commercial mobile service” has the meaning given in 47 USC 332 (d).

2 (c) “Mobile telephone service provider” means a person that is authorized by
3 the federal communications commission to provide commercial mobile service.

4 (d) “Monthly service contract” means a contract the terms of which entitle a
5 person, for a monthly fee, to a limited amount of access time.

6 **(2)** A mobile telephone service provider may not enter into a monthly service
7 contract under which the customer’s right to use accrued access time expires before
8 the sooner of the following:

9 (a) The last day of the 12th month beginning after the month in which the
10 customer’s access time accrued.

11 (b) The expiration of the monthly service contract.

12 **SECTION 2. Initial applicability.**

13 (1) This act first applies to monthly service contracts entered into on the
14 effective date of this subsection.

15 **SECTION 3. Effective date.**

16 (1) This act takes effect on the first day of the 6th month beginning after
17 publication.

18 (END)