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LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 82, L.D. 273, Bill, “An Act Regarding Penalties for Opting Out of Paperless Billing”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 10 MRSA §9420 is enacted to read:

§9420. Paperless billing

1. Prohibition of certain fees. Except as authorized by federal law and regulation, a customer of a person may not be penalized by that person for opting out of receiving from the person a billing statement by electronic record rather than in paper form. A person may offer an incentive to a customer to accept a billing statement from the person by electronic record rather than in paper form.

2. Exemption. Subsection 1 does not apply to a person that is a depository institution, as defined in Title 32, section 16102, subsection 5, or a subsidiary that is owned and controlled by the depository institution and that is regulated by a state or federal banking agency.'

SUMMARY

This amendment is the majority report of the committee. The bill provides that certain fees for customers choosing to opt out of receiving a billing statement in electronic form rather than paper form are prohibited. The amendment makes the prohibition subject to federal law and regulation. It also adds an exemption for a depository institution, or a subsidiary that is owned and controlled by a depository institution, and that is regulated by a state or federal banking agency.

COMMITTEE AMENDMENT