AN ACT TO PROHIBIT TELECOMMUNICATIONS COMPANIES AND ANCILLARY
SERVICE PROVIDERS FROM BILLING CONSUMERS FOR ADDITIONAL
TELECOMMUNICATIONS SERVICES OR OTHER GOODS OR SERVICES THAT HAVE
NOT BEEN AUTHORIZED BY THE CONSUMER; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) As used in this section, the following words
and phrases have the meanings ascribed in this subsection unless
the context clearly indicates otherwise:

(a) "Ancillary service provider" means a person who
provides goods or services other than, or in addition to,
telecommunications services to consumers and bills consumers
through a long-distance telecommunications service provider or
local telecommunications company.

(b) "Consumer" means a person to whom is assigned in
the State of Mississippi a telephone line and corresponding
telephone number.

(c) "Telecommunications company" means a public utility
of the type defined in Section 77-3-3(d)(iii).

(2) A telecommunications company may not initiate or bill
additional telecommunications services that are not required to be
offered by the Public Service Commission and which a consumer has
not authorized or requested specifically. A consumer may not be
required to pay for any additional services that the consumer did
not authorize or request. If a charge is assessed on a per-use
basis for a service described in this subsection and the consumer
notifies the providing telecommunications company that the
consumer did not utilize the service or authorize the utilization
of the service, the telecommunications company must initiate a
refund of the charge or apply a credit in an amount equal to the
charge to the consumer's next monthly bill.

(3) An ancillary service provider may not charge a consumer
through the consumer's telecommunications bill for goods or
services without the consumer's authorization to acquire the goods
or services. A consumer may not be required to pay for any goods
or services that are provided by an ancillary service provider and
which the consumer did not authorize or request specifically. If
the consumer paid for any goods or services that the consumer did
not authorize or request, the ancillary service provider must
refund to the consumer an amount equal to all charges paid to the
ancillary service provider by that consumer. The consumer may
recover attorney fees and costs incurred in obtaining a refund
from the ancillary service provider.

(4) A telecommunications company or ancillary service
provider may not use a sweepstakes, contest or drawing entry form
as authorization to add or change telecommunications services or
other goods or services to a consumer's telephone bill.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2001.