

HOUSE No. 01881

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Hogan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relating to the listing of a business location of certain businesses in a telephone directory or database.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>James Lyons, Jr.</i>	<i>18th Essex</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>

HOUSE No. 01881

By Ms. Hogan of Stow, a petition (accompanied by bill, House, No. 1881) of Ferrante and others relative to the listing of a business location of certain businesses in a telephone directory or database Joint Committee on Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relating to the listing of a business location of certain businesses in a telephone directory or database.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Be it enacted by the Senate and House of Representatives in General Court assembled, and by
2 the authority of the same as follows:

3 SECTION 1. Chapter 93A of the General Laws is hereby amended by adding the following
4 section:

5 SECTION 12. (a) A person may not misrepresent the geographical location of a business that
6 derives 50 per cent or more of its gross income from the sale or arranging for the sale of flowers
7 or floral arrangements in the listing of the business in a telephone directory or other directory
8 assistance database.

9 (b) A person is considered to misrepresent the geographical location of a business for purposes
10 of subsection (a) if the name of the business indicates that the business is located in a
11 geographical area and:

12 (1) the business is not located within the geographical area indicated;

13 (2) the listing fails to identify the municipality and state of the business's geographical location;

14 and

15 (3) a telephone call to the local telephone number listed in the directory or database routinely is
16 forwarded or transferred to a location that is outside the calling area covered by the directory or
17 database in which the number is listed.

18 (c) A person may place a directory listing for a business described by subsection (a) the name of
19 which indicates that it is located in a geographical area that is different from the geographical
20 area in which the business is located if a conspicuous notice in the listing states the municipality
21 and state in which the business is located.

22 (d) This section does not apply to a publisher of a telephone directory or other publication or a
23 provider of a directory assistance service publishing or providing information about another
24 business.

25 (e) A violation of this section is a false, misleading, or deceptive act or practice under this
26 chapter, and any public or private right or remedy prescribed by this chapter may be used to
27 enforce this section.