Offered by:
SEN. FONFARA, 1st Dist.
SEN. WITKOS, 8th Dist.
SEN. DOYLE, 9th Dist.

To: Subst. Senate Bill No. 98 File No. 16 Cal. No. 41

"AN ACT PROHIBITING SPOOFING AND CRAMMING."

1 Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 53a-130 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2011):

(a) A person is guilty of criminal impersonation when such person:
(1) Impersonates another and does an act in such assumed character with intent to obtain a benefit or to injure or defraud another; or (2) pretends to be a representative of some person or organization and does an act in such pretended capacity with intent to obtain a benefit or to injure or defraud another; or (3) pretends to be a public servant other than a sworn member of an organized local police department or the Division of State Police within the Department of Public Safety, or wears or displays without authority any uniform, badge or shield by which such public servant is lawfully distinguished, with intent to
induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense; or (4) with intent to defraud, deceive or injure another, uses an electronic device to impersonate another and such act results in personal injury or financial loss to another or the initiation of judicial proceedings against another.

(b) Criminal impersonation is a class A misdemeanor.

Sec. 2. (NEW) (Effective October 1, 2011) (a) As used in this section, (1) "billing company" means any entity that issues a bill in its own name to a customer for any charges such entity may impose on a customer for products or services provided to the customer by such entity, its affiliates or any third party with whom such entity jointly markets such products or services and any charges for any product or service provided to such customer by a service provider; and (2) "service provider" means any entity that provides a product or service to a customer and that directly or indirectly charges such customer for such product or service on a bill issued by a billing company and does not include any entity that is a billing company.

(b) A service provider may charge a customer on a bill for any product or service provided to such customer by such service provider, if (1) such service provider clearly and conspicuously disclosed to such customer all material terms and conditions of such product or service, including all charges, (2) such customer expressly consented to obtain such product or service, (3) such service provider provided such customer with a toll-free telephone number for resolving billing disputes or obtaining other information, and (4) such service provider took affirmative steps to determine that any person who consented to such product or service and the corresponding charges was authorized to incur such charges.

(c) Any service provider that charges a customer for a product or service is responsible for resolving any disputed charges concerning such product or service. No billing company shall be liable for civil damages resulting from the inclusion of any unauthorized charges for
any product or service provided by a service provider that appear on any such customer's bill prepared by such billing company, provided the inclusion of any such unauthorized charges on such bill was the result of information received from such service provider. Service providers shall maintain records of any dispute concerning charges for a product or service provided to such customer for not less than twenty-four months after such dispute arises.

(d) The provisions of subsections (b) and (c) of this section shall not apply to the billing of charges for any products or services provided to any customer by any billing company, any affiliate of such billing company or any third party with whom such billing company jointly markets such products or services."

This act shall take effect as follows and shall amend the following sections:

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<thead>
<tr>
<th>Section</th>
<th>Effective Date</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>1</td>
<td>October 1, 2011</td>
<td>53a-130</td>
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<tr>
<td>Sec. 2</td>
<td>October 1, 2011</td>
<td>New section</td>
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