

HB 477 - AS INTRODUCED

2021 SESSION

21-0617

10/06

HOUSE BILL **477**

AN ACT establishing consumer protections regarding Internet service provider outages and download speeds.

SPONSORS: Rep. Roy, Rock. 32

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill establishes consumer protection provisions for customers of Internet service providers for service outages and less than advertised download speeds.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT	establishing consumer protections regarding Internet service provider outages and download speeds.
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Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Chapter; Internet Service Providers. Amend RSA by inserting after chapter 358-S the following new chapter:

CHAPTER 358-T

INTERNET SERVICE PROVIDERS

358-T:1 Outage Reimbursement. An Internet service provider shall provide for automatic reimbursement for outages of service which last longer than one hour between the hours of 9:00am to 5:00pm on weekdays and longer than 2 hours during any other time of day or night. Any customer's outage exceeding those limits shall be reimbursed for the proportional amount of one day's service in the billing period.

358-T:2 Advertised Download Speeds. If the advertised download speed of the Internet service subscribed to by a customer of an Internet service provider is not maintained at least 80 percent of the time during the billing period, then the customer shall be billed for the lower cost tier of service under which the average speed the customer actually received over the billing period would align.

358-T:3 Records. In order to comply with this chapter, Internet service providers shall keep, maintain, and make available to customers and the attorney general records of customer service outages and download speeds for at least 180 days.

358-T:4 Penalties; Enforcement.

I. It shall be unlawful for any Internet service provider in this state to fail to comply with this chapter.

II. If the customer does not receive a reimbursement or amended billing as provided in this chapter they shall have recourse to the consumer protection division of the attorney general who shall enforce the provisions of this chapter.

III. Any violation of the provisions of this chapter shall also constitute an unfair and deceptive act or practice within the meaning of RSA 358-A:2 and may be enforced by the attorney general pursuant to RSA 358-A.

358-T:5 Rulemaking. The attorney general shall adopt rules, pursuant to RSA 541-A, relative to:

I. The records required under RSA 358-T:3.

II. The financial documentation necessary to assure reimbursements and billing.

III. The administration and enforcement of this chapter.

1 2 Effective Date. This act shall take effect January 1, 2022.