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## DIGEST

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HB 379 Original

2020 Regular Session

Deshotel

**Abstract:** Regulates the assignment of wireless cell phone numbers by wireless telecommunication service providers to consumers when the service is for use by a minor.

Proposed law enacts the Louisiana Wireless Cell Phone Number Assignment for Minors Protection Act.

Proposed law defines the terms "consumer" and "wireless telecommunication service provider" for the purposes of proposed law in order to provide for clarification.

Proposed law requires wireless telecommunication service providers to inform consumers of how recently a wireless cell phone number was assigned to a prior holder of the number prior to assigning the number to the consumer when the consumer indicates that the service will be used by a minor.

Further, at the consumer's request, proposed law requires the wireless telecommunication service provider to assign a different wireless cell phone number, free of charge, when the wireless cell phone number that the provider will assign was used by a prior holder of the number within the last 365 days of the date of the reassignment.

Proposed law clarifies that proposed law is applicable only when the consumer is obtaining wireless telecommunication service that will be used by a minor.

Proposed law declares that a consumer obtaining services for use by a minor has the right to be informed if the wireless cell phone number that will be assigned to the minor was assigned to a prior holder of the number within the last 365 days and the right to request a different number without being charged. Proposed law requires wireless telecommunication service providers to disclose the consumer's rights pursuant to proposed law on the provider's website or in any other form that is reasonably accessible to consumers.

Proposed law prohibits wireless telecommunication service providers from discriminating against a consumer because the consumer exercised any of the consumer's rights under proposed law.

Proposed law authorizes a consumer to bring a civil action to recover actual damages and attorney fees and costs incurred as a result of a wireless telecommunication service provider's failure to implement proposed law. However, when the court finds that the consumer's civil action is groundless and brought in bad faith or to harass, the court may award the wireless telecommunication service provider attorney fees and costs.

(Adds R.S. 51:3171-3176)