

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2464

As Amended by House Committee on Veterans
and Military

Brief*

HB 2464 would allow a military service members or the member's spouse to terminate or suspend contracts for telecommunication, Internet, television, satellite radio services, or athletic club or gym memberships any time the service member receives military orders to relocate for a period of service of at least 90 days without incurring a fee or penalty or losing deposits for terminating, suspending, or reinstating the contract. The provisions allowing cancellation of certain contracts would not apply to prepaid or no-contract service plans.

Definition

The term "service member" would be defined as any member of the Army, Navy, Marine Corps, Air Force, Coast Guard, Kansas Army or Air National Guard, or any branch of the military reserves of the United States.

Documentation, Notice, and Reinstatement

The service member or the service member's spouse would be required to provide written or electronic notice and a copy of military orders to service providers in order to terminate or suspend service. Termination or suspension of service would become effective the day notice is delivered to the provider.

Within 90 days of returning from a period of active service, the bill would allow the service member or spouse to

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

reinstate the provisions of services under the same terms and conditions as originally agreed to with the provider before termination or suspension. If the original terms and conditions are no longer offered to new consumers, services could be reinstated with the same terms and conditions the provider offers new consumers.

Background

The bill was introduced by the House Committee on Veterans and Military. In the House Committee hearing, a representative of the Department of Defense and a representative of the Kansas Commission on Veterans' Affairs Office (KCVAO) testified in favor of the bill. The proponents stated the bill would expand protections for service members concerning obligations that occur while on active duty that are not found in the federal Servicemembers Civil Relief Act.

No neutral or opponent testimony was provided.

The House Committee adopted the following amendments:

- Allow contracts to be reinstated at the same terms and conditions currently offered to new consumers if the terms and conditions of the original contract are no longer being offered to new consumers;
- Specify that provisions of the bill would not apply to prepaid or no-contract service plans; and
- Allow the spouse of a service member with military orders to relocate to exercise provisions of the bill.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KCVAO and the Office of the Attorney General indicate there would be no fiscal effect. Any fiscal effect associated with the enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.