

MAINE STATE LEGISLATURE

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5/17/11
R.O.F.S.

MAJORITY

L.D. 273

Date: 5-17-11

(Filing No. S-118)

3 **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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5 **STATE OF MAINE**

6 **SENATE**

7 **125TH LEGISLATURE**

8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT “**A**” to S.P. 82, L.D. 273, Bill, “An Act Regarding
10 Penalties for Opting Out of Paperless Billing”

11 Amend the bill by striking out everything after the enacting clause and before the
12 summary and inserting the following:

13 ‘**Sec. 1. 10 MRSA §9420** is enacted to read:

14 **§9420. Paperless billing**

15 **1. Prohibition of certain fees.** Except as authorized by federal law and regulation, a
16 customer of a person may not be penalized by that person for opting out of receiving from
17 the person a billing statement by electronic record rather than in paper form. A person
18 may offer an incentive to a customer to accept a billing statement from the person by
19 electronic record rather than in paper form.

20 **2. Exemption.** Subsection 1 does not apply to a person that is a depository
21 institution, as defined in Title 32, section 16102, subsection 5, or a subsidiary that is
22 owned and controlled by the depository institution and that is regulated by a state or
23 federal banking agency.’

24 **SUMMARY**

25 This amendment is the majority report of the committee. The bill provides that
26 certain fees for customers choosing to opt out of receiving a billing statement in
27 electronic form rather than paper form are prohibited. The amendment makes the
28 prohibition subject to federal law and regulation. It also adds an exemption for a
29 depository institution, or a subsidiary that is owned and controlled by a depository
30 institution, and that is regulated by a state or federal banking agency.

COMMITTEE AMENDMENT