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## A BILL FOR AN ACT

RELATING TO PREPAID CALLING SERVICE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

- 1           SECTION 1. Chapter 487, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:
- 4           "§487-       Prepaid calling service; definitions;  
5 disclosures; rules; violation. (a) Any prepaid calling service  
6 company that sells or offers for sale prepaid calling service,  
7 at the time of sale, shall disclose clearly and conspicuously:
- 8           (1) Any surcharges or fees, including monthly fees, per  
9           call access fees and surcharges for the first minute  
10           or unit of use that may be applicable to the use of  
11           the prepaid calling service;
- 12           (2) Any rounding of time used by the user and the formula  
13           of computation of the rounding of time;
- 14           (3) Any application or other fees charged to the user;
- 15           (4) Any restrictions on use of the prepaid calling  
16           service; and
- 17           (5) A toll-free user assistance telephone number.



1        (b) The director of the office of consumer protection may  
2 adopt rules under chapter 91 prescribing additional information  
3 that a prepaid calling card company shall provide to the user at  
4 the time of sale.

5        (c) A violation of this section shall be deemed an unfair  
6 or deceptive act or practice under section 480-2.

7        (d) As used in this section:

8        "Prepaid calling service" means a prepaid  
9 telecommunications service that allows a user to originate a  
10 telephone call using an access number and an authorization code.

11        "Prepaid calling service company" means a company that  
12 provides a prepaid calling service to the public using its own  
13 network or resold services.

14        "Telecommunications service" means the provision of  
15 transmission service between or among points specified by a  
16 user, of information of the user's choosing, including voice,  
17 data, image, graphics, and video without change in the form or  
18 content of the information, as sent and received, by means of  
19 electromagnetic transmission, or other similarly capable means  
20 of transmission, with or without benefit of any closed  
21 transmission medium, and does not include cable service as  
22 defined in section 440G-3."



1 SECTION 2. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun, before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Prepaid Calling Service; Disclosure

**Description:**

Requires companies selling prepaid calling services to disclose the terms and charges of the service. Makes a violation of the disclosure requirements an unfair or deceptive act or practice in trade or commerce.

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