

SECOND REGULAR SESSION

SENATE BILL NO. 838

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SILVEY.

Pre-filed December 30, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5527S.011

AN ACT

To amend chapter 392, RSMo, by adding thereto one new section relating to the transfer of wireless telephone numbers.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 392, RSMo, is amended by adding thereto one new section, to be known as section 392.700, to read as follows:

392.700. 1. A wireless service provider may transfer the billing responsibility and rights of a wireless telephone number or numbers from a wireless service account holder to a petitioner when the petitioner has a full order of protection issued under sections 455.010 to 455.085 against the wireless service account holder. For purposes of this section, the term "wireless service provider" shall mean a provider of commercial mobile service under section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq.).

2. When a wireless service provider cannot operationally or technically effectuate a transfer of billing responsibility due to the wireless service account holder terminating the account, when differences in network technology prevent the functionality of a device on the network, or when there are geographic or other limitations on network or service ability, the wireless service provider shall notify the petitioner within seventy-two hours of receiving the request from the petitioner to transfer such billing responsibility and rights of a wireless telephone number or numbers.

3. Upon transferring the billing responsibility and rights of a wireless telephone number or numbers from a wireless service account holder to a petitioner under subsection 1 of this section, the petitioner shall assume all financial responsibility for the transferred wireless

22 telephone number or numbers, monthly service costs, and costs for any
23 mobile device associated with the wireless telephone number or
24 numbers. This section shall not preclude a wireless service provider
25 from applying any routine and customary requirements for account
26 establishment to the petitioner as part of this transfer of billing
27 responsibility for a wireless telephone number or numbers, including
28 but not limited to identification, financial information, and customer
29 preferences.

30 4. This section shall not affect the ability of the court to
31 apportion the assets and debts of the parties as provided for under law,
32 or the ability to determine temporary use, possession, and control of
33 personal property.

34 5. No cause of action shall lie against any wireless service
35 provider, its officers, employees, or agents for actions taken under the
36 authority of this section.

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Bill

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