

House Bill 1039 (AS PASSED HOUSE AND SENATE)

By: Representatives Watson of the 172nd, Rhodes of the 120th, LaHood of the 175th, Corbett of the 174th, and Burchett of the 176th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 12 of Title 13 of the Official Code of Georgia Annotated, relating to
2 automatic renewal provisions, so as to provide additional protections for consumers who
3 enter into service contracts that contain lengthy automatic renewal provisions; to provide for
4 related matters; to provide an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 12 of Title 13 of the Official Code of Georgia Annotated, relating to automatic
9 renewal provisions, is amended by revising Code Section 13-12-3, relating to notice to
10 consumer prior to automatic renewal of a service contract, as follows:

11 "13-12-3.

12 (a) Any seller that sells, leases, or offers to sell or lease any service to a consumer pursuant
13 to a service contract for a specified period of 12 months or more and that automatically
14 renews for a specified period of more than one month, unless the consumer cancels the
15 contract, shall provide the consumer with written or electronic notification of the automatic
16 renewal provision. Notification shall be provided to the consumer no less than 30 days or
17 no more than 60 days before the cancellation deadline pursuant to the automatic renewal
18 provision. Such notification shall disclose clearly and conspicuously:

19 (1) That unless the consumer cancels the contract, the contract will automatically renew;
20 and

21 (2) The methods by which the consumer may obtain details of the automatic renewal
22 provision and cancellation procedure, including contacting the seller at a specified
23 telephone number or address, referring to the contract, or any other method.

24 (b) For any contract for service to a consumer that automatically renews for a specified
25 period of more than 24 months, the seller shall, in addition to providing the notification

26 required under subsection (a) of this Code section, obtain the following for the automatic
27 renewal provision of such contract to be enforceable:

28 (1) Written or electronic acknowledgment from the consumer of receipt of the
29 notification required under subsection (a) of this Code section; and

30 (2) An affirmative written or electronic response that the consumer does not intend to
31 terminate the service contract."

32 **SECTION 2.**

33 This Act shall become effective on January 1, 2021.

34 **SECTION 3.**

35 All laws and parts of laws in conflict with this Act are repealed.