

## Active Duty Military Personnel Service Cancellations

This act allows active duty service members to cancel and reinstate services like cable, internet, and health club memberships. In order to cancel or reinstate services, a member of the armed services must provide orders proving they have been called into active duty. Qualifying active duty members may be able to reinstate services under the same terms and conditions before cancellation due to active duty call-up.

Submitted as:

Oregon

[Enrolled House Bill 2083](#)

Status: Signed into law on June 18, 2013.

### Suggested State Legislation

(Title, enacting clause, etc.)

- 1 Section 1. [*Short Title*] An Act relating to the provision of services to active duty service  
2 members.  
3
- 4 Section 2. [*Relating to the provision of services to active duty service members*]  
5 (1) As used in this section, “service member” means:  
6 (a) A member of the organized militia who is called into active service of the state by the  
7 Governor under [insert citation] for 30 or more consecutive days.  
8 (b) A member of the Armed Forces of the United States, as that term is defined in [insert  
9 citation], who is called into active federal service under Title 10 of the United States  
10 Code.  
11 (2)  
12 (a) Except as provided in subsection (6) of this section, a service member who has obtained  
13 the following services from a telecommunications service provider, an Internet service  
14 provider, a health club as defined in [insert citation], a health spa as defined in [insert  
15 citation] or a provider of television services may terminate or suspend the provision of  
16 services upon written notice and as provided in paragraph (b) of this subsection:  
17 (A) Telecommunications services.  
18 (B) Internet services.  
19 (C) Health spa services as defined in [insert citation].  
20 (D) Exercise or athletic activities offered by a health club.  
21 (E) Television services, including but not limited to cable television, direct satellite and  
22 other television-like services.  
23 (b) The service member must provide proof to the service provider of the official orders  
24 showing that the service member has been called into active service:  
25 (A) At the time written notice is given; or  
26 (B) If precluded by military necessity or circumstances that make the provision of proof  
27 at the time of giving written notice unreasonable or impossible, within 90 days after  
28 written notice has been given.

1 (3) A termination or suspension of services under this section is effective on the day written  
2 notice is given under subsection (2) of this section.

3 (4)

4 (a) A service member who terminates or suspends the provision of services under this  
5 section and who is no longer in active service may reinstate the provision of services on  
6 the same terms and conditions as originally agreed to with the service provider before the  
7 termination or suspension upon written notice to the provider that the service member is  
8 no longer in active service. Written notice under this subsection must be given within 90  
9 days after termination of the service member's active service.

10 (b) Upon receipt of the written notice of reinstatement, the service provider shall resume the  
11 provision of services or, if the services are no longer available, provide substantially  
12 similar services within a reasonable time not to exceed 30 days from the date of receipt of  
13 the written notice of reinstatement.

14 (5) A service member who terminates, suspends or reinstates the provision of services under this  
15 section:

16 (a) May not be charged a penalty, fee, loss of deposit or any other additional cost because of  
17 the termination, suspension or reinstatement; and

18 (b) Is not liable for payment for any services after the effective date of the termination or  
19 suspension, or until the effective date of a reinstatement of services as described in  
20 subsection (4) of this section.

21 (6) A service member may terminate a contract for any service provided by a commercial mobile  
22 radio services provider in accordance with 50 U.S.C. 535a.

23  
24 Section 3. [*Severability.*] Insert severability clause.

25  
26 Section 4. [*Repealer.*] Insert repealer clause.

27  
28 Section 5. [*Effective Date.*] Insert effective date.