**A** **BILL**

TO AMEND SECTION 58-9-285 OF THE 1976 CODE, RELATING TO THE REGULATION OF BUNDLED OFFERINGS FOR LOCAL EXCHANGE COMPANIES, TO PROVIDE THAT BUNDLED OFFERINGS AND BUNDLED OFFERING BILLING STATEMENTS MUST INCLUDE PROMINENTLY WRITTEN, ITEMIZED DISCLOSURES OF APPLICABLE TAXES, FEES, AND VARIABLE RATES; TO AMEND ARTICLE 3, CHAPTER 12, TITLE 58 OF THE 1976 CODE, RELATING TO STATE-ISSUED CERTIFICATES OF FRANCHISE AUTHORITY, BY ADDING SECTION 58-12-365, TO PROVIDE THAT A HOLDER OF A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY SELLING BUNDLED OFFERINGS MUST INCLUDE PROMINENTLY WRITTEN, ITEMIZED DISCLOSURES OF APPLICABLE TAXES, FEES, AND VARIABLE RATES ON BUNDLED OFFERINGS AND BUNDLED OFFERING BILLING STATEMENTS; AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 58-9-285 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“( )(1) A bundled offering must include disclosures and amounts for any applicable taxes, fees, and variable rates that apply to the bundled offering. For variable rates, the disclosure must include an average range of the amount charged to the customer. Disclosures must be written in a prominent manner and included in the bundled offering as a projected total payment.

(2) A customer billing statement for a bundled offering must include an itemized disclosure of all services, taxes, fees, and variable rates included within the bundled offering billing amount. The disclosure must be prominently displayed on the billing statement.”

SECTION 2. Article 3, Chapter 12, Title 58 of the 1976 Code is amended by adding:

“Section 58-12-365. (A) For the purposes of this section, ‘bundled offering’ means an offering of two or more products or services to customers at a single price from a holder of a state-issued certificate of franchise authority, provided that:

(1) the bundled offering is advertised and sold as a bundled offering at rates, terms, or conditions that are different from if the products or services were to be purchased separately from other offerings; and

(2) each product or service in the bundled offering is available on a stand-alone basis.

(B)(1) A bundled offering from a holder of a state-issued certificate of franchise authority must include disclosures and amounts for any applicable taxes, fees, and variable rates that apply to the bundled offering. For variable rates, the disclosure must include an average range of the amount charged to the customer. Disclosures must be written in a prominent manner and included in the bundled offering as a projected total payment.

(2) A customer billing statement for a bundled offering must include an itemized disclosure of all services, taxes, fees, and variable rates included within the bundled offering billing amount. The disclosure must be prominently displayed on the billing statement.”

SECTION 3. This act takes effect upon approval by the Governor.

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