
By Mr. Boverini, (by request), a petition (accompanied by bill, Senate, No. 569) of Carl Goodman for legislation to protect the confidentiality of telephone company customer records. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT TO PROTECT THE CONFIDENTIALITY OF TELEPHONE COMPANY CUSTOMER RECORDS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 66 of the General Laws is hereby amended by in-
2 serting after section 44 the following section: —

3 *Section 45.* All telephone companies operating within the
4 commonwealth shall give written notice to a customer of any
5 and all information released by the telephone company re-
6 garding any aspect of that customer's telephone service or
7 business relations with said telephone company. Such release
8 of information shall specifically include, but not be limited to,
9 information released by one telephone company business of-
10 fice to other business offices or departments of the same tele-
11 phone company or information released by any agency, de-
12 partment or division of the telephone company which maintains
13 or collects any information relating to the customer's telephone
14 service or business relations with the telephone company. Said
15 written notice of such release of information shall be mailed
16 not later than forty-eight hours from the time such informa-
17 tion is released and shall include:

- 18 1) the name and address of the person to whom such in-
19 formation was given;
- 20 2) the name of the person and the office or department of
21 the telephone company in which the person is employed
22 who released such information;
- 23 3) the purpose for which the information was requested
24 and released;
- 25 4) the date and time the information was released.

26 Such notice shall be mailed to the customer at his usual bill-
27 ing address or at whatever other address the customer may
28 request such notice to be sent.

29 The telephone company shall not be required to give notice
30 to the customer of release of information regarding that cus-
31 tomer's service or business relations with the telephone com-
32 pany when such information is released as a result of a proper-
33 ly procured search warrant by local, state or federal law en-
34 forcement officials, where disclosure of the search would
35 jeopardize the investigative process and where prior to the
36 enactment of this bill the law enforcement agent would not
37 have been required to inform the subject of the investigation
38 of such search.

39 Definition: Customer's Information shall include, but not
40 be limited to a) all billing information including but not lim-
41 ited to, charges, calls, payments; b) equipment used by the
42 telephone company customer; c) repair service; d) any other
43 information that may appear on any part of the customer's
44 entire record with the telephone company.

45 Violation of this act by any telephone company shall be
46 punished by a fine of not less than one hundred dollars and
47 not to exceed one thousand dollars for each violation and
48 said fine shall not relieve the telephone company from fur-
49 ther liability pursuant to any other act, resolve, or administra-
50 tive rule, nor shall it relieve the telephone company from any
51 liability in a civil action by the aggrieved customer. The dis-
52 trict attorney shall be empowered to investigate, and bring
53 appropriate action against a telephone company which has
54 violated any provision of this act, upon a written complaint
55 by any aggrieved customer.