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In Senate, April 15, 2025

An Act to Protect Maine Consumers by Simplifying Subscription Cancellations

Received by the Secretary of the Senate on April 11, 2025. Referred to the Committee on Housing and Economic Development pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator NANGLE of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA §1210-C, sub-§1, ¶A**, as enacted by PL 2019, c. 175, §1, is
3 amended to read:

4 A. "Automatic subscription renewal" means an offer or agreement to provide any of
5 the following goods or services for a specified time and price that is automatically
6 renewed at the end of a definite term for a subsequent term unless the consumer ~~cancels~~
7 affirmatively acts to cancel the agreement or to reject further provision of the goods or
8 services:

- 9 (1) Online magazines, journals and periodicals;
10 (2) Online media players;
11 (3) Mobile apps;
12 (4) Social networking services;
13 (5) Internet game services; and
14 (6) Online software.

15 **Sec. 2. 10 MRSA §1210-C, sub-§1, ¶B**, as enacted by PL 2019, c. 175, §1, is
16 amended to read:

17 B. "Extended automatic subscription renewal" means an automatic subscription
18 renewal with a specified subscription term of 12 months or more, in which the
19 subscription automatically renews for a specified term of more than one month unless
20 the consumer ~~cancels~~ affirmatively acts to cancel the subscription or to reject further
21 provision of the goods or services.

22 **Sec. 3. 10 MRSA §1210-C, sub-§2**, as enacted by PL 2019, c. 175, §1, is amended
23 to read:

24 **2. Method of cancellation of automatic subscription renewal; required seller**
25 **disclosure; misrepresentation.** A seller may not make an automatic subscription renewal
26 offer to a consumer in this State unless the seller presents that consumer with ~~an~~ a clear,
27 conspicuous and easily accessible disclosure of all material terms of the renewal offer and
28 of the methods that the consumer may use to cancel the subscription. A seller shall obtain
29 the express consent of a consumer to automatic subscription renewal prior to enrollment
30 through a check box, electronic signature requirement or other affirmative action by the
31 consumer agreeing to the renewal offer. The seller must provide for ~~online~~ cancellation of
32 the subscription ~~by any means of communicating information over a computer network by~~
33 ~~a consumer using the same method and in the same manner by which the consumer initially~~
34 agreed to the subscription. If a phone number is also provided for the purposes of
35 cancellation of the subscription, the number must be toll-free and must be prominently
36 displayed in the disclosure. The disclosure must also include, but is not limited to,
37 information regarding the amount and frequency of subscription charges and the seller's
38 refund policy upon cancellation. In marketing, offering or selling a subscription with an
39 automatic subscription renewal, a seller may not make any misrepresentation of a material
40 fact associated with that renewal offer.

41 **Sec. 4. 10 MRSA §1210-C, sub-§3**, as enacted by PL 2019, c. 175, §1, is amended
42 to read:

1 **3. Extended automatic ~~subscriptions~~ subscription renewals; additional notice**
2 **requirement.** A seller may not make an extended automatic subscription renewal offer to
3 a consumer in this State unless the seller complies with the same requirements and
4 restrictions applicable to automatic subscription renewals under subsection 2 and
5 additionally notifies the consumer of the automatic renewal in accordance with this
6 subsection. ~~Notice must be provided to the consumer no less~~ No fewer than 30 days and
7 no more than 60 days before the cancellation deadline ~~pursuant to the automatic~~
8 ~~subscription renewal.~~ ~~The seller must provide for online cancellation of the subscription~~
9 ~~by any means of communicating information over a computer network.~~ ~~The notice for an~~
10 extended automatic subscription renewal, the seller must provide notice to the consumer
11 regarding the renewal, which must disclose clearly and conspicuously:

12 A. That unless the consumer cancels the subscription it will automatically renew; and

13 B. Where the consumer can obtain details regarding the ~~automatic subscription~~
14 renewal and cancellation procedure.

15 **Sec. 5. 10 MRSA §1210-D, sub-§1**, as enacted by PL 2019, c. 175, §1, is amended
16 to read:

17 **1. Violations.** A violation of this section is a violation of the Maine Unfair Trade
18 Practices Act. Notwithstanding any provision of law to the contrary, in addition to damages
19 or penalties authorized pursuant to the Maine Unfair Trade Practices Act, a person found
20 in violation of this chapter based on unauthorized subscription or other charges billed to or
21 paid by a consumer is required to provide to the consumer a refund or credit for 3 times the
22 unauthorized amounts billed or paid.

23 **Sec. 6. 10 MRSA §1210-D, sub-§3** is enacted to read:

24 **3. Enforcement; rules.** The Attorney General shall enforce the provisions of this
25 chapter and shall bring necessary actions for violations of this chapter in accordance with
26 this section. The Attorney General may adopt rules necessary for the enforcement of this
27 chapter. Rules adopted by the Attorney General pursuant to this subsection are routine
28 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

29 **Sec. 7. Application.** Notwithstanding the Maine Revised Statutes, Title 10, section
30 1210-C, subsection 4, this Act applies only to offers or agreements entered into or renewed
31 on or after January 1, 2026 under which a seller makes an automatic subscription renewal
32 or extended automatic subscription renewal offer to a consumer in this State.

33 SUMMARY

34 This bill amends the law regulating automatic subscription renewals to clarify the
35 disclosure requirements for sellers offering such subscriptions, including by requiring a
36 seller to obtain a consumer's express consent for automatic subscription renewal prior to
37 enrollment through a check box, electronic signature requirement or other affirmative
38 action by the consumer agreeing to the renewal offer; by requiring the seller to provide for
39 cancellation of such subscriptions by a consumer using the same method and in the same
40 manner by which the consumer initially agreed to the subscription; and by prohibiting a
41 seller from misrepresenting a material fact regarding an automatic subscription renewal
42 offer in the marketing, offering or selling of such subscriptions.

1 The bill directs the Attorney General to enforce the provisions of the law regulating
2 automatic subscription renewals, to bring necessary actions for violations of that law and
3 to adopt rules necessary for the enforcement of that law. It also provides that, in addition
4 to damages or penalties authorized pursuant to the Maine Unfair Trade Practices Act, a
5 person found in violation of that law based on unauthorized subscription or other charges
6 billed to or paid by a consumer is required to provide to the consumer a refund or credit for
7 3 times the unauthorized amounts billed or paid.

8 The changes provided in the bill to the law regulating automatic subscription renewals
9 apply only to offers or agreements entered into or renewed on or after January 1, 2026
10 under which a seller makes an automatic subscription renewal or extended automatic
11 subscription renewal offer to a consumer in this State.