

§ 127B-30. Termination of contract upon receipt of military order; requirements.

(a) It is the policy of this State that servicemembers who have entered into certain service contracts and who later receive military orders to relocate to a location that does not support those contracts as determined by the service provider should not be penalized for terminating those contracts.

(b) Termination of Contract. – In addition to the rights and protections regarding consumer transactions, contracts, and service providers provided to a servicemember under Subchapter III of Chapter 50 of Title 50 of the United States Code, a servicemember may terminate a contract described in subsection (c) of this section if the servicemember receives a military order to relocate for a period of military service of at least 90 days to a location that does not support the contract.

(c) Applicability. – This section applies to a prepaid entertainment contract as defined in G.S. 66-118. This section also applies to a contract to provide any of the following services:

- (1) Telecommunication service.
- (2) Internet service.
- (3) Television service.
- (4) Satellite radio service.

(d) Notices. – A servicemember shall give to the service provider under the contract written or electronic notice of the termination and a written or electronic copy of the military order. The notice shall state the effective date of the termination. If a servicemember terminates a contract, the service provider shall give to the servicemember written, electronic, or oral notice of the servicemember's rights.

(e) No Early Termination Charge. – For any contract terminated under this section, the service provider shall not impose an early termination charge.

(f) Refund. – Not later than 60 days after the termination date of the contract, the service provider shall refund to the servicemember any fee paid for a service that extends beyond the termination date of the contract.

(g) Unpaid Obligation. – Any tax, liability, or other obligation due and unpaid at the time of the termination remains the obligation of the servicemember.

(h) Resubscription. – If the servicemember resubscribes to the service provided under the contract, the service provider shall not impose any charge or fee other than the usual and customary charges and fees for the installation or acquisition of customer equipment imposed on any other subscriber. (2019-161, s. 1(a).)