

# HOUSE BILL NO. 3333

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MACKEY.

7017H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to electronic device applications.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be  
2 known as section 407.1117, to read as follows:

**407.1117. 1. For purposes of this section, unless the context provides otherwise,**  
2 **the following terms mean:**

3       **(1) "Digital services", any service provided via the internet or an electronic**  
4 **network that is delivered to the consumer through the use of electronic devices;**

5       **(2) "Electronic device", any cell phone, smart phone, or tablet used by**  
6 **consumers connected to a wireless telephone service;**

7       **(3) "Mobile application", third-party software developed specifically for use on**  
8 **electronic devices.**

9       **2. Any provider of a mobile application on an electronic device connected to a**  
10 **wireless telephone service that uses a subscription model that relies on automatic**  
11 **renewal or continuous service on its mobile application shall provide its customers an**  
12 **option to cancel such subscription service through such mobile application.**

13       **3. Any mobile application that provides a subscription model that relies on**  
14 **automatic renewal shall post in a clear and conspicuous format a direct link or button**  
15 **where a consumer can terminate the automatic renewal subscription model.**

16       **4. A violation of this section constitutes a violation of the Missouri**  
17 **Merchandising Practices Act, sections 407.005 to 407.145.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **5. The attorney general shall enforce the provisions of this section and shall**  
19 **bring necessary actions for violations of this section. The attorney general shall have the**  
20 **authority to promulgate all rules necessary for the administration and enforcement of**  
21 **the provisions of this section. Any rule or portion of a rule, as that term is defined in**  
22 **section 536.010, that is created under the authority delegated in this section shall**  
23 **become effective only if it complies with and is subject to all of the provisions of chapter**  
24 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**  
25 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**  
26 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
27 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
28 **adopted after August 28, 2026, shall be invalid and void.**

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