

HB 1228 -- Telemarketing No-Call List

Sponsor or Co-Sponsors: Johnson (90), Selby, Carnahan, Harding, Coleman, Willoughby, Baker, Harlan, Byrd

Same as or similar to: Year:

Emergency Clause: Yes or Effective Date of:

Use Summary For: Version:, Year:,

Verbatim:

Modify above as follows:

New summary as follows: This bill adds a definition for the anachronism, "ADAD", (automatic dialing and announcing device), and definitions for the terms "consumer", "established business relationship", "seller", and "telemarketer" pursuant to the Telemarketing No-Call Law.

The bill also modifies the definition of the term "telephone solicitation" as it pertains to the telemarketing no-call list. In current law, communications made by or on behalf of an entity with whom the residential subscriber has had a business contact within the past 180 days or a current business or personal relationship are not considered telephone solicitations. In the bill, only communications made by or on behalf of any person or entity with whom a residential subscriber has an established business relationship or personal relationship are not considered telephone solicitations.

In current law, the definition of the term "telephone

solicitation" also excludes communications made by or on behalf of entities regulated by federal agencies provided: (1) the entity is licensed or certified to sell the merchandise being offered and (2) the entity is required by law or rule to maintain a no-call list. This exclusion is eliminated by the bill.

The bill also eliminates exclusions for communications by a natural person responding to a referral or working from his or her primary residence; or by a person licensed by the state in a trade, occupation, or profession who is trying to make an appointment relating to the licensed activity.

Roland