

HB 1686 -- Telemarketing No-Call List

Sponsor: LeVota

This bill expands the No-call List to include cell phone numbers and prohibits sending unsolicited faxes and text messages to anyone who is on the No-call List. Using an automatic dialing announcing device (ADAD) when calling a residential subscriber who is on the No-call List is also prohibited unless:

- (1) The subscriber has knowingly or voluntarily authorized receipt of the message; or
- (2) The message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered. The operator must disclose the name of the business for which the message is being made, the purpose of the message, whether or not the message will solicit money, and the kind of goods or services the message is promoting.

ADAD equipment cannot be used unless it disconnects within 10 seconds after the subscriber ends the call.

These provisions do not apply to calls:

- (1) From school districts to students, parents, or employees;
- (2) To subscribers with whom the caller has a current business or personal relationship;
- (3) From telecommunications companies or directory publisher affiliates for the sole purpose of verifying the delivery of products or services that were provided free to the residential subscriber;
- (4) To subscribers requesting personal opinions on public policy, political candidates, or issues before voters made for a bona fide information-gathering purpose;
- (5) To employees advising them of work schedules; or
- (6) From public safety agencies or other entities notifying the recipient of an emergency or an Amber alert.

Any person who knowingly inserts false information into a caller identification system with the intent to defraud the recipient on the identity of a caller will be guilty of caller identification spoofing, a class D felony.