

HB 646 -- No-Call List for Telephone Solicitations

Sponsor: Schieffer

This bill changes the laws regarding the state's No-call List and political telephone solicitations.

NO-CALL LIST

The bill prohibits the use of an automatic dialing-announcing device (ADAD) when calling a residential subscriber who is on the No-call List except that the use of an ADAD is allowed when:

- (1) The subscriber has given prior express invitation or permission;
- (2) The message is from or on behalf of a person or business entity with whom the subscriber has had a business contact within the past 180 days or has a current business or personal relationship;
- (3) The message is preceded by a live operator who obtains the subscriber's consent before the message is delivered. An automated call may also be used to leave a message if the automated message is preceded by an announcement of the message by a live operator;
- (4) The message is from a public safety agency or other entity notifying a person of an emergency such as an Amber alert;
- (5) The message is from a school district to students, parents, or employees;
- (6) The message is from an employer to employees regarding work-related matters;
- (7) The message is from a telecommunications company verifying the delivery of products and services that were provided at no charge to the residential subscriber; or
- (8) The message is from a person or entity requesting the subscriber's opinion regarding a public policy matter, political candidate, or issue before the voters when the request is made for an information-gathering purpose.

ADAD equipment cannot be used unless it disconnects within 10 seconds after the subscriber ends the call. Certain provisions regarding educational information requirements of the Attorney General about the No-call List are repealed.

POLITICAL TELEPHONE SOLICITATIONS

Any person or entity making a political solicitation to any residential subscriber must clearly state who paid for the solicitation by using the words "This message is paid for by." The bill specifies what the rest of the phrase must include. Any committee making a political solicitation must be registered with the Missouri Ethics Commission. A business, labor organization, or non-committee organization making automated political solicitations which cost in excess of \$500 must register with the commission and the Office of the Secretary of State prior to making any calls. A person or entity making a political solicitation must keep a record of the name and address of the person or entity who purchased or requested the services and the amount paid for the services for two years after the date of the payment. A residential subscriber who receives a solicitation in violation of these provisions may file a complaint with the commission which it must address in the same manner as it addresses a violation of Section 130.031.8, RSMo.

The Secretary of State must make a summary of these provisions available to a candidate at the time he or she files for an elective office.