

## HB 831 -- Do-Not-Offer Statewide Registry Act

Sponsor: Houghton

This bill establishes the Do-Not-Offer Statewide Registry Act which requires by January 1, 2012, the Attorney General to create rules and regulations governing the establishment of a do-not-offer statewide registry database and to have the database in operation by July 1, 2012. The database is to compile a list of addresses, post office boxes, or other locations of mail delivery of Missouri residents, 70 years of age or older, who object to receiving direct mail marketing. Information on the list cannot be considered a public record as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law. The Attorney General is encouraged to quarterly check the listing of Missouri citizens who are on the national no-direct mail marketing list and add those names to the state database. The Attorney General may utilize moneys appropriated from the Merchandising Practices Revolving Fund to establish and operate the database.

The Attorney General is authorized to seek an injunction and a civil penalty of up to \$5,000 for each knowing violation and additional relief in any court of competent jurisdiction. Any person who has received more than one direct mail marketing solicitation within any one-year period may bring an action to enjoin the violation, seek damages, or both. No action or proceeding may be brought more than two years after the person bringing the action knew or should have known of the alleged violation or more than two years after the state's termination of any proceeding or action arising out of the same violation, whichever is later.

The provisions regarding the Do-Not-Offer Statewide Registry Act become effective July 1, 2012.