

SECOND REGULAR SESSION

HOUSE BILL NO. 1447

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES McNEIL (Sponsor), WYATT, McGEOGHEGAN, SCHUPP,
PACE, SPRENG, McCANN BEATTY, OXFORD AND LAMPE (Co-sponsors).

4481L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 407 and 570, RSMo, by adding thereto three new sections relating to telemarketing practices, with penalty provisions.

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

Section A. Chapters 407 and 570, RSMo, are amended by adding thereto three new sections, to be known as sections 407.1160, 407.1162, and 570.195, to read as follows:

407.1160. 1. No computerized telephone calls of a political nature shall be made to an individual's residence at any time other than between the hours of 8:00 a.m. and 9:00 p.m. local time at the called individual's location.

2. Any person or entity responsible for authorizing the making of such telephone calls in violation of this section is guilty of an unlawful telemarketing act or practice and shall be subject to the penalties authorized in section 407.1082.

407.1162. 1. Any telephone calls of a political nature made in this state shall indicate the person or organization paying for such political telephone calls.

2. Any person or entity making such political telephone calls in violation of this section is guilty of an unlawful telemarketing act or practice and shall be subject to the penalties authorized in section 407.1082.

570.195. 1. As used in this section the following terms shall mean:

(1) "Caller", a person who places a call by a telephone or over a telephone line, even if the person begins the call on a computer;

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.

4 **(2) "Caller identification system", a listing of a caller's name, telephone number,**
5 **or name and telephone number that is shown to a recipient of a call when the recipient answers;**

6 **(3) "False information", data that misrepresents the identity of the caller to the**
7 **recipient of a call; except that when a person making an authorized call on behalf of**
8 **another person inserts the name, telephone number, or name and telephone number of the**
9 **person on whose behalf the call is being made, such information shall not be deemed false**
10 **information;**

11 **(4) "Insert", the insertion of data by voice communication, by written**
12 **communication or by otherwise entering into a computer.**

13 **2. Any caller who knowingly inserts false information into a caller identification**
14 **system with the intent to mislead, defraud, or deceive the recipient of a telephone call shall**
15 **be guilty of caller identification spoofing.**

16 **3. Caller identification spoofing shall be a class D felony.**

17 **4. The provisions of this section shall not apply to:**

18 **(1) Any blocking of caller identification information;**

19 **(2) Any law enforcement agencies of the federal government, state government, a**
20 **county or municipality; or**

21 **(3) Any intelligence or security agencies of the federal government.**

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