

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2240** Session of  
1986

INTRODUCED BY WOGAN, DAWIDA, MACKOWSKI, STABACK, O'BRIEN,  
RAYMOND, KOSINSKI, L. E. SMITH, HALUSKA, PICCOLA, CARLSON,  
J. L. WRIGHT, GLADECK, HERMAN, HAGARTY, FOX, KUKOVICH,  
PRESTON, MRKONIC, J. TAYLOR, KENNEY, BOWSER, DISTLER,  
CHADWICK AND B. SMITH, MARCH 12, 1986

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 12, 1986

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, prohibiting unsolicited commercial  
3 telephone calls during certain hours.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 5516. Unsolicited commercial telephone calls during certain  
9 hours.

10 (a) Offense defined.--A person commits a misdemeanor of the  
11 third degree if he makes or causes to be made an unsolicited  
12 commercial telephone call to any person between the hours of  
13 9:30 p.m. and 8:30 a.m.

14 (b) Venue.--An offense committed under this section may be  
15 deemed to have been committed at either the place at which the  
16 telephone call was made or at the place where the telephone call  
17 was received.

1     (c) Territorial application.--This section applies to all  
2 telephone calls to telephones located within the Commonwealth of  
3 Pennsylvania.

4     (d) Definitions.--As used in this section the following  
5 words and phrases shall have the meanings given to them in this  
6 subsection:

7     "Automated equipment." Equipment which, when attached to a  
8 telephone line, can dial a group of telephone numbers, either on  
9 a random or sequential basis, and has the capability, working  
10 alone or in conjunction with other equipment, of disseminating a  
11 prerecorded message to the telephone number called.

12     "Unsolicited commercial telephone call." A telephone call  
13 made by or on behalf of any person, firm or association using  
14 automated equipment soliciting business or contributions or  
15 promoting any product, service, political, religious or  
16 ideological viewpoints.

17     Section 2. This act shall take effect in 60 days.