

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1597 Session of
1999

INTRODUCED BY RAMOS, KAISER, GEORGE, READSHAW, PETRARCA,
FICHTER, HASAY, FAIRCHILD, WALKO, STEELMAN, J. TAYLOR,
ROBINSON, WOJNAROSKI, MANDERINO, BELFANTI, BISHOP,
L. I. COHEN, M. COHEN, CORRIGAN, DALEY, GRUCELA, HALUSKA,
HERMAN, JOSEPHS, LEDERER, MANN, MELIO, YOUNGBLOOD, SAINATO,
LaGROTTA, LEVDANSKY, COSTA, HARHAI, FLICK, SURRA, MYERS,
HORSEY AND STETLER, JUNE 8, 1999

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 8, 1999

AN ACT

1 Amending the act of December 4, 1996 (P.L.911, No.147), entitled
2 "An act providing for registration requirements for
3 telemarketers and for powers and duties of the Office of
4 Attorney General," providing for a "no sales solicitation
5 calls list."

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 2 of the act of December 4, 1996
9 (P.L.911, No.147), known as the Telemarketer Registration Act,
10 is amended by adding a definition to read:

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 * * *

16 "No sales solicitation calls list." A list, also known as a
17 "Do Not Call List," compiled and maintained by the Office of

Attorney General for the purpose of listing the telephone numbers of residential telephone customers who have indicated that they do not wish to receive unsolicited sales calls.

* * *

Section 2. The act is amended by adding a section to read:
Section 5.1. "No sales solicitation calls list."

(a) Placement on "no sales solicitation calls list."--Any residential telephone customer desiring to be placed on a "no sales solicitation calls list" may notify the Office of Attorney General and have their telephone number placed on the list.

(b) Update.--The Office of Attorney General shall update its "no sales solicitation calls list" quarterly.

(c) Notification.--The Office of Attorney General shall be responsible for:

(1) Informing each local telephone company, on an annual basis, that the company is required to notify its residential customers of the opportunity to place their telephone number on the "no sales solicitation calls list." The notification shall be made by annual inserts in the billing statements mailed to residential customers and conspicuous publication of the notice in the consumer information pages of the local telephone directories. The notification shall specify the methods by which residential customers may place their names on the list and the length of time that the telephone numbers will remain on the list without renewal.

(2) Providing notice and information regarding availability of the most current "no sales solicitation calls list" to telemarketers so they may obtain the list in a prompt manner. Such notification may include, but not be limited to, publication in the Pennsylvania Bulletin.

1 (d) Telemarketer responsible for obtaining copy.--It shall
2 be the responsibility of a telemarketer to obtain a copy of the
3 most recent "no sales solicitation calls list" published by the
4 Office of Attorney General.

5 (e) Calls prohibited.--No telemarketer shall make or cause
6 to be made any unsolicited telephone sales call to any
7 residential telephone number if that telephone number appears on
8 the then-current quarterly list published by the Office of
9 Attorney General.

10 Section 3. Telemarketers shall be required to keep their own
11 unsolicited sales refusal list for two years after the initial
12 publication of the "no sales solicitation calls list" published
13 by the Office of Attorney General.

14 Section 4. This act shall take effect in 60 days.