

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 725 Session of
2005

INTRODUCED BY SOLOBAY, BEBKO-JONES, CALTAGIRONE, CAPPELLI,
DERMODY, FABRIZIO, GINGRICH, S. MILLER, MUNDY, PALLONE, TIGUE
AND YOUNGBLOOD, MARCH 1, 2005

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 1, 2005

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," further defining "telephone solicitation
5 call."

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

8 Section 1. The definition of "telephone solicitation call"
9 in section 2 of the act of December 4, 1996 (P.L.911, No.147),
10 known as the Telemarketer Registration Act, amended September
11 12, 2003 (P.L.105, No.22), is amended to read:

12 Section 2. Definitions.

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

16 * * *

17 "Telephone solicitation call." A call made to a residential
18 or wireless telephone subscriber for the purpose of soliciting
19 the sale of any consumer goods or services or for the purpose of

1 obtaining information that will or may be used for the direct
2 solicitation of a sale of consumer goods or services or an
3 extension of credit for that purpose. The term does not include
4 a call made to a residential or wireless telephone consumer:

5 (1) In response to an express request of the residential
6 or wireless telephone consumer.

7 (2) In reference to an existing debt, contract, payment
8 or performance.

9 (3) With whom the telemarketer has an established
10 business relationship within the past 12 months preceding the
11 call.

12 [(4) On behalf of an organization granted tax-exempt
13 status under section 501(c)(3), (5) or (8) of the Internal
14 Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et
15 seq.) or a veterans organization chartered by the Congress of
16 the United States and or its duly appointed foundation.]

17 (5) On behalf of a political candidate or a political
18 party.

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