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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 263 Session of  
2017

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INTRODUCED BY DIAMOND, V. BROWN, D. COSTA, DEASY, DUNBAR,  
GABLER, KORTZ, MILLARD, MULLERY, READSHAW, WATSON, ZIMMERMAN  
AND IRVIN, JANUARY 31, 2017

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 31, 2017

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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 providing for the definition of  
5 "telephone solicitation 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, is amended 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 "Telephone solicitation call." A call made to a residential  
17 or wireless telephone subscriber for the purpose of soliciting  
18 the sale of any consumer goods or services or for the purpose of  
19 obtaining information that will or may be used for the direct

1 solicitation of a sale of consumer goods or services or an  
2 extension of credit for that purpose. The term does not include  
3 a call made to a residential or wireless telephone consumer:

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

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

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

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

16 [(5) On behalf of a political candidate or a political  
17 party.]

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