

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1340 Session of
2007

INTRODUCED BY REICHLEY, BAKER, BOYD, CAUSER, CUTLER, EVERETT,
GEIST, HENNESSEY, M. KELLER, KILLION, MAHONEY, MANDERINO,
R. MILLER, MOYER, NAILOR, NICKOL, O'NEILL, PAYNE, PEIFER,
PETRARCA, PICKETT, PYLE, ROSS, SCAVELLO, SONNEY, THOMAS,
WALKO AND WOJNAROSKI, MAY 24, 2007

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 24, 2007

AN ACT

1 Amending the act of December 16, 2002 (P.L.1810, No.222),
2 entitled "An act prohibiting certain facsimiles, commercial
3 electronic transmissions and the use of text, graphic or
4 image messaging systems of wireless telephone systems to
5 transmit unsolicited commercial messages; imposing penalties;
6 authorizing the blocking of commercial electronic mail by
7 interactive computer service; and providing for the powers of
8 the Attorney General," further prohibiting unsolicited or
9 misleading commercial or electronic mail messages and
10 facsimiles.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 3 of the act of December 16, 2002
14 (P.L.1810, No.222), known as the Unsolicited Telecommunication
15 Advertisement Act, is amended by adding a subsection to read:
16 Section 3. Prohibition of unsolicited or misleading commercial
17 electronic mail messages and faxes.

18 * * *

19 (c) Telephone fax machines.--No person may fax or conspire
20 with another person to fax a commercial electronic mail message

1 to a telephone fax machine unless the person has been granted
2 prior express invitation or permission to fax the commercial
3 electronic mail message, as evidenced by a signed, written
4 statement that includes the telephone number for the telephone
5 fax machine to which any commercial electronic mail message may
6 be sent and clearly indicates the recipient's consent to receive
7 the commercial electronic mail message from the person.

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