

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 681

Session of
1987

INTRODUCED BY WOGAN, KOSINSKI, TRELLO, DORR, CORNELL, BOYES,
SCHEETZ, CESSAR, WOZNIAK, J. L. WRIGHT, TIGUE, FOX, JOHNSON,
BURD, J. TAYLOR, STEIGHNER, HALUSKA, BLAUM, MAIALE, HOWLETT,
BOWSER, MICHLOVIC, HERMAN, LEVDANSKY, RAYMOND, FARGO,
JACKSON, KUKOVICH, HECKLER, VAN HORNE, B. SMITH, NAHILL,
KENNEY, FREEMAN, BUNT, CARLSON, BARLEY, JADLOWIEC,
E. Z. TAYLOR, OLASZ, FISCHER, HAGARTY, COLAFELLA, MILLER AND
TELEK, MARCH 9, 1987

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 9, 1987

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

1 telephone call was made or at the place where the telephone call
2 was received.

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

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

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

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

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