

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1292 Session of  
2006

INTRODUCED BY REGOLA, LOGAN, RAFFERTY, CORMAN, GREENLEAF, ORIE  
AND COSTA, JULY 20, 2006

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JULY 20, 2006

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for the offense of caller  
3 identification fraud; and prescribing a penalty.

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 § 7617. Caller identification fraud.

9 (a) General rule.--Except as set forth in subsection (b), it  
10 shall be unlawful for any person in connection with any  
11 telecommunications service or VOIP service to cause any caller  
12 identification service to transmit misleading or inaccurate  
13 caller identification information with the intent to defraud or  
14 cause harm.

15 (b) Exceptions.--This section does not apply to:

16 (1) Law enforcement agencies of the Federal Government,  
17 the State government or a municipality.

18 (2) Intelligence or security agencies of the Federal

1 Government.

2 (c) Penalty.--A person who knowingly violates this section  
3 commits a summary offense.

4 (d) Protection for blocking caller identification.--Nothing  
5 in this section shall be construed to prevent or restrict any  
6 person from blocking the capability of any caller identification  
7 service to transmit caller identification information.

8 (e) Definitions.--As used in this section, the following  
9 words and phrases shall have the meanings given to them in this  
10 subsection:

11 "Caller identification information." Information provided to  
12 an end user by a caller identification service regarding the  
13 telephone number of or other information regarding the  
14 origination of a call made using a telecommunications service or  
15 VOIP service. "Caller identification service." Any service or  
16 device designed to provide the user of the service or device  
17 with the telephone number or other information regarding the  
18 origination of a call made using a telecommunications service or  
19 VOIP service. The term includes automatic number identification  
20 services.

21 "VOIP service." A service that:

22 (1) provides real-time voice communications transmitted  
23 through end-user equipment using TCP/IP protocol or a  
24 successor protocol with or without a fee;

25 (2) is offered to the public or classes of users such  
26 that it is effectively available to the public, whether part  
27 of a bundle of services or separately; and

28 (3) has the capability to originate traffic to and  
29 terminate traffic from the public switched telephone network.

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