

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 176 Session of
2007

INTRODUCED BY SOLOBAY, CALTAGIRONE, CAPPELLI, COHEN, DERMODY,
FABRIZIO, GALLOWAY, GINGRICH, GOODMAN, GRUCELA, HORNAMAN,
KOTIK, KULA, MAHONEY, MELIO, MUNDY, SURRA, SWANGER, WALKO AND
YOUNGBLOOD, FEBRUARY 1, 2007

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 1, 2007

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

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

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

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

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

13 (4) On behalf of an organization granted tax-exempt
14 status under section 501(c)(3), (5) or (8) of the Internal
15 Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et
16 seq.) or a veterans organization chartered by the Congress of
17 the United States and or its duly appointed foundation[.]
18 unless such organization has contracted with or otherwise
19 engaged a for-profit entity to make calls to residential or
20 wireless telephone subscribers for a purpose described in
21 this definition.

22 (5) On behalf of a political candidate or a political
23 party.

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