

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1524 Session of 2011

INTRODUCED BY SAYLOR, AUMENT, CALTAGIRONE, COHEN, D. COSTA, CREIGHTON, CUTLER, DONATUCCI, DUNBAR, FLECK, GABLER, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, GRELL, GROVE, HARHAI, HARRIS, HENNESSEY, HORNAMAN, HUTCHINSON, JOSEPHS, F. KELLER, M. K. KELLER, KNOWLES, LAWRENCE, MALONEY, MARSHALL, MASSER, MILLER, MILNE, MULLERY, MUNDY, MURT, PETRARCA, PICKETT, PYLE, RAPP, ROAE, ROCK, TAYLOR, VEREB, VULAKOVICH, WAGNER AND WATSON, MAY 11, 2011

REFERRED TO COMMITTEE ON JUDICIARY, MAY 11, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for automated telephone  
3 calls.

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 § 5518. Automated telephone calls.

9 (a) General rule.--Except as provided under subsection (b),  
10 any person who uses an automated telephone system or any other  
11 device for the selection and dialing of telephone numbers and  
12 playing of recorded messages when a message is completed to the  
13 dial number shall disclose the name of the person or group  
14 responsible for the automated telephone call.

15 (b) Exceptions.--This section shall not apply to a person

1 using automated telephone systems or any other devices for the  
2 selection and dialing of telephone numbers and playing of  
3 recorded messages if the message is to:

4       (1) Inform purchasers concerning the receipt,  
5 availability, delivery, delay of delivery or other pertinent  
6 information concerning the status of purchased goods or  
7 services.

8       (2) Perform an act to which the recipient of the  
9 automated telephone call has agreed, enrolled or otherwise  
10 consented to.

11       (3) Respond to an inquiry initiated by the recipient of  
12 the automated telephone call.

13       (c) Penalty.--Any person who violates subsection (a) commits  
14 a summary offense and shall, upon conviction, be sentenced to a  
15 fine of \$300 per completed automated telephone call.

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