

1 A bill to be entitled
 2 An act relating to telephone solicitation; amending s.
 3 501.059, F.S.; revising the definition of the term
 4 "telephonic sales call" to include voicemail
 5 transmissions; prohibiting the transmission of
 6 voicemails to specified persons who communicate to a
 7 telephone solicitor that they would not like to
 8 receive certain voicemail solicitations or requests
 9 for donations; providing an effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Paragraph (g) of subsection (1) and subsection
 14 (5) of section 501.059, Florida Statutes, are amended to read:

15 501.059 Telephone solicitation.—

16 (1) As used in this section, the term:

17 (g) "Telephonic sales call" means a telephone call, ~~or~~
 18 text message, or voicemail transmission to a consumer for the
 19 purpose of soliciting a sale of any consumer goods or services,
 20 soliciting an extension of credit for consumer goods or
 21 services, or obtaining information that will or may be used for
 22 the direct solicitation of a sale of consumer goods or services
 23 or an extension of credit for such purposes. The term includes
 24 technologies that deliver a voice message directly to a
 25 voicemail application, service, or device.

HB 315

2018

26 (5) A telephone solicitor or other person may not initiate
27 an outbound telephone call, ~~or~~ text message, or voicemail
28 transmission to a consumer or donor or potential donor who has
29 previously communicated to the telephone solicitor or other
30 person that he or she does not wish to receive an outbound
31 telephone call, ~~or~~ text message, or voicemail transmission:

32 (a) Made by or on behalf of the seller whose goods or
33 services are being offered; or

34 (b) Made on behalf of a charitable organization for which
35 a charitable contribution is being solicited.

36 Section 2. This act shall take effect July 1, 2018.