



297394

LEGISLATIVE ACTION

Senate

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House

The Committee on Regulated Industries (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 38 - 68

and insert:

selection and ~~or~~ dialing of telephone numbers, the playing of a recorded message when a connection is completed to a number called, the transmission of a text message, or the transmission of a prerecorded voicemail; and

b. He or she is not required to directly or indirectly sign the written agreement or to agree to enter into such an



297394

11 agreement as a condition of purchasing any property, goods, or
12 services.

13 (k) "Unsolicited telephonic sales call" means a telephonic
14 sales call other than a call made:

15 1. Within 120 days after ~~In response to~~ an express request
16 of the ~~person~~ called party;

17 2. Primarily in connection with an existing debt or
18 contract, if payment or performance of such debt or contract has
19 not been completed at the time of such call;

20 3. To a person with whom the telephone solicitor has a
21 prior or existing business relationship; ~~or~~

22 4. By a newspaper publisher or his or her agent or employee
23 in connection with his or her business; or

24 5. For the purpose of polling or soliciting the expression
25 of ideas, opinions, or votes, including when such polling or
26 soliciting is made by text message.

27 (8) (a) A person may not make or knowingly allow a
28 telephonic sales call to be made if such call involves an
29 automated system for the selection and ~~or~~ dialing of telephone
30 numbers, ~~or~~ the playing of a recorded message when a connection
31 is completed to a number called, the transmission of a text
32 message, or the transmission of a prerecorded voicemail without
33 the prior express written consent of the called party.

34 (e) This subsection does not prohibit the use of an
35 automated system for the selection and dialing of telephone
36 numbers with live messages or text messages if the call or
37 message is made solely in response to an inquiry initiated by
38 the called party. However, only three such
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297394

40 ===== T I T L E A M E N D M E N T =====

41 And the title is amended as follows:

42 Delete lines 4 - 6

43 and insert:

44 provision to changes made by the act; prohibiting the
45 use of automated telephone dialing systems using
46 certain types of messages under certain circumstances;
47 authorizing such use in response to certain inquiries;
48 providing a