

HB 1834 -- Telemarketing No-Call List

Sponsor: Zimmerman

This bill expands the No-call List to include cell phone numbers and prohibits sending unsolicited faxes and text messages to anyone who is on the list. Using an automatic dialing announcing device (ADAD) when calling a residential subscriber who is on the list is also prohibited. If the prohibition is ruled invalid by a court of competent jurisdiction for any reason, the bill specifies that the use of an ADAD is allowed when:

- (1) The subscriber has knowingly or voluntarily authorized receipt of the message; or
- (2) The message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered. The operator must disclose the name of the business for which the message is being made, the purpose of the message, whether or not the message will solicit money, and the kind of goods or services the message is promoting.

ADAD equipment cannot be used unless it disconnects within 10 seconds after the subscriber ends the call.

These provisions do not apply to calls:

- (1) From school districts to students, parents, or employees;
- (2) To subscribers with whom the caller has a current business or personal relationship; or
- (3) To employees advising them of work schedules.

Certain educational information requirements regarding the No-call List by the Attorney General's Office are removed.