

SENATE BILL 18

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2000 Regular Session
0lr0669

(PRE-FILED)

By: **Senator Green**

Requested: October 13, 1999

Introduced and read first time: January 12, 2000

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Telephone Solicitation - Caller Identification Blocking**

3 FOR the purpose of prohibiting a person engaged in telephone solicitation from
4 blocking or otherwise preventing or controlling the transmission of information
5 that identifies the solicitor to the recipient of the call; defining a certain term;
6 providing for certain exceptions; and providing penalties for violations of this
7 Act.

8 BY adding to
9 Article - Public Utility Companies
10 Section 8-205
11 Annotated Code of Maryland
12 (1998 Volume and 1999 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Public Utility Companies**

16 8-205.

17 (A) (1) IN THIS SECTION, "TELEPHONE SOLICITATION" MEANS AN
18 ORGANIZED ACTIVITY, PROGRAM, OR CAMPAIGN TO COMMUNICATE BY TELEPHONE
19 WITH RESIDENTS OF MARYLAND IN ORDER TO:

20 (I) SELL, LEASE, OR RENT GOODS OR SERVICES;

21 (II) ATTEMPT TO SELL, LEASE, OR RENT GOODS OR SERVICES;

22 (III) OFFER OR ATTEMPT TO OFFER A GIFT OR PRIZE;

23 (IV) CONDUCT OR ATTEMPT TO CONDUCT A POLL; OR

1 (V) REQUEST OR ATTEMPT TO REQUEST SURVEY INFORMATION, IF
2 THE RESULTS OF THE SURVEY WILL BE USED DIRECTLY TO SOLICIT PERSONS TO
3 PURCHASE, LEASE, OR RENT GOODS OR SERVICES.

4 (2) "TELEPHONE SOLICITATION" INCLUDES THE ACT OF MANAGING,
5 DIRECTING, OR SUPERVISING AN INDIVIDUAL ENGAGED IN TELEPHONE
6 SOLICITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION.

7 (B) THIS SECTION DOES NOT APPLY TO:

8 (1) A UNIT OF FEDERAL, STATE, OR LOCAL GOVERNMENT; OR

9 (2) A PERSON WHO HAS A PREEXISTING BUSINESS OR PERSONAL
10 RELATIONSHIP WITH, OR THE CONSENT OF, THE PERSON WHO IS THE RECIPIENT OF
11 THE TELEPHONE SOLICITATION.

12 (C) A PERSON ENGAGED IN TELEPHONE SOLICITATION MAY NOT BLOCK OR
13 TAKE ANY OTHER ACTION TO PREVENT OR CONTROL THE TRANSMISSION OF
14 INFORMATION THAT IDENTIFIES THE PERSON ENGAGED IN TELEPHONE
15 SOLICITATION TO THE RECIPIENT OF THE CALL.

16 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
17 AND ON CONVICTION IS SUBJECT TO A FINE:

18 (1) NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE; AND

19 (2) NOT EXCEEDING \$5,000 FOR EACH SUBSEQUENT OFFENSE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2000.