

SENATE BILL 79

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C5

2001 Regular Session
(11r0213)

ENROLLED BILL
-- Finance/Environmental Matters --

Introduced by **Senator Green**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Telephone Solicitation - Caller Identification Blocking**

3 FOR the purpose of prohibiting, under certain circumstances, a person engaged in
4 telephone solicitation from intentionally using any device or method to block, or
5 taking any other action to prevent or control, the transmission of the telephone
6 number of that person to a recipient of a telephone solicitation; defining a
7 certain term; providing for certain exceptions; and providing penalties for
8 violations of this Act.

9 BY adding to
10 Article - Public Utility Companies
11 Section 8-205
12 Annotated Code of Maryland
13 (1998 Volume and 2000 Supplement)

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

1

Article - Public Utility Companies

2 8-205.

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

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

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

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

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

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

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

16 (B) THIS SECTION DOES NOT APPLY TO:

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

18 ~~(2) A PERSON WHO HAS A PREEXISTING BUSINESS OR PERSONAL~~
19 ~~RELATIONSHIP WITH, OR THE CONSENT OF, THE PERSON WHO IS THE RECIPIENT OF~~
20 ~~THE TELEPHONE SOLICITATION.~~

21 (C) IF THE TELEPHONE SERVICE OR EQUIPMENT OF A PERSON ENGAGED IN
22 TELEPHONE SOLICITATION ALLOWS THAT PERSON TO CHOOSE TO RESTRICT OR
23 DISPLAY THE TRANSMISSION OF THE PERSON'S TELEPHONE NUMBER TO THE
24 RECIPIENT OF A TELEPHONE SOLICITATION, THE PERSON MAY NOT:

25 (1) INTENTIONALLY USE ANY DEVICE OR METHOD TO BLOCK THE
26 TRANSMISSION OF THE PERSON'S TELEPHONE NUMBER TO A RECIPIENT; OR

27 (2) TAKE ANY OTHER ACTION TO PREVENT OR CONTROL THE
28 TRANSMISSION OF THE PERSON'S TELEPHONE NUMBER TO A RECIPIENT.

29 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
30 AND ON CONVICTION IS SUBJECT TO:

31 (1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$1,000; AND

32 (2) FOR EACH SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$5,000.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001.