

SENATE BILL 79

Unofficial Copy
C5

2001 Regular Session
1r0213

By: **Senator Green**

Introduced and read first time: January 11, 2001

Assigned to: Finance

A BILL ENTITLED

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:

16 **Article - Public Utility Companies**

17 8-205.

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

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

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

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

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

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

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

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

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

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

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