HOUSE BILL 1291

By: **Delegates Jennings, Aumann, Boteler, and Haddaway**
Introduced and read first time: February 8, 2008
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Prerecorded Phone Messages – Sponsor Identification**

3 FOR the purpose of prohibiting a person from failing to ensure that certain messages
4   relating to a candidate, campaign, or political committee meet certain
5   requirements; prohibiting a person from sending a certain message that does
6   not contain certain information; providing for certain penalties for a willful and
7   knowing violation of the requirements of this Act; defining certain terms; and
8   generally relating to identification requirements for prerecorded or artificial
9   phone messages.

10 BY adding to
11   Article – Election Law
12   Section 16–904
13   Annotated Code of Maryland
14   (2003 Volume and 2007 Supplement)

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

17 **Article – Election Law**

18 **16–904.**

19   **(A)**   **(1)**   **IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
20 **MEANINGS INDICATED.**

21   **(2)**   **"ARTIFICIAL TELEPHONE MESSAGE" MEANS A TELEPHONE**
22 **MESSAGE CREATED USING A COMPUTER GENERATED VOICE.**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
    [Brackets] indicate matter deleted from existing law.

1   **(3)** **"PRERECORDED** **TELEPHONE** **MESSAGE"** **MEANS** **A**
2 **TELEPHONE MESSAGE THAT USES A HUMAN VOICE RECORDED IN ADVANCE OF**
3 **USE.**

4   **(B)** **A PERSON MAY NOT FAIL TO ENSURE THAT AN ARTIFICIAL**
5 **TELEPHONE MESSAGE OR A PRERECORDED TELEPHONE MESSAGE RELATING TO**
6 **A CANDIDATE, A PROSPECTIVE CANDIDATE, OR THE APPROVAL OR REJECTION**
7 **OF A QUESTION DURING OR AFTER THE MESSAGE, STATES CLEARLY THE**
8 **INFORMATION CONTAINED IN AN AUTHORITY LINE AS REQUIRED UNDER §**
9 **13–401 OF THIS ARTICLE.**

10   **(C)** **A PERSON WHO WILLFULLY AND KNOWINGLY VIOLATES THIS**
11 **SECTION SHALL BE SUBJECT TO THE CIVIL PENALTY PROVISIONS OF THE**
12 **MARYLAND TELEPHONE CONSUMER PROTECTION ACT.**

13   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 June 1, 2008.