

***Technology, Telecommunications  
& Energy Committee***

***HB 1600***

***Brief Description:*** *Establishing a do not call list.*

***Sponsors:*** *Representatives Simpson, Roach (co-prime sponsor), Hatfield, Benson, Wood, Romero, Keiser, Darneille and Santos.*

***Brief Summary of Bill***

- *Establishes a residential telephone solicitation no-call list under the Department of Licensing.*
- *Requires that the public no-call list be transmitted to a national telephone preference service for placement on its no-call list.*
- *Prohibits telephone solicitors from making solicitation calls without first obtaining a recent copy of the national telephone preference service no-call list, and prohibits any calls to residential numbers on that list.*
- *Establishes penalties for violation of these provisions.*

***Hearing Date:*** *2/16/01*

***Staff:*** *Pam Madson (786-7166).*

***Background:***

*Commercial telephone solicitors must register with the Department of Licensing and must comply with the state Commercial Telephone Solicitation Act.*

*Upon receiving an unsolicited commercial sales call, the person receiving the call may ask to be removed from the calling list used by the telephone solicitor and the solicitor may not make any further commercial solicitation calls to the person at that number for one year. The commercial telephone solicitor may not sell or give the number to another company or*

*organization. Civil and criminal penalties may be imposed for violation of these provisions.*

*The Federal Communications Commission rules require that telephone solicitors calling residential numbers keep a record of individuals who do not wish to receive any further calls. That record must be maintained for 10 years.*

*Individuals may voluntarily register with the Telephone Preference Service of the Direct Marketing Association (DMA). The Service commercially publishes lists of consumers who do not wish to receive solicitation calls. This association is located in Farmington, New York.*

***Summary of Bill:***

*Department of Licensing must establish a list of residential telephone numbers for individuals who do not want to receive commercial telephone solicitations. The list must be available to the public in written and electronic form. The department may not charge persons who want to be placed on the list but may collect a charge from those requesting inspection of the list. The department may contract with a private vendor to establish, operate, and maintain the list.*

*Lists must be sent quarterly to a national telephone preference service that collects names of individuals who want to be removed from national telemarketing lists.*

*The department and the UTC must publicize the availability of the list and inform the public how to place numbers on the list.*

*No person may make a telephone solicitation before obtaining the most recent copy of the national telephone preference service list.*

*No person may make a telephone solicitation call to a residential number on the public list that is transmitted to the national list and that has been on the national service list for at least 60 days.*

*A person injured by a violation of the do-not-call provisions may bring a civil action and may receive damages in the amount of \$1,000 for each violation plus court costs and attorney's fees.*

***Appropriation: None.***

***Fiscal Note: Requested on February 8, 2001.***

***Effective Date: Ninety days after adjournment of session in which bill is passed.***