
**Technology, Telecommunications
& Energy Committee**

HB 2614

Brief Description: Prohibiting a telephone solicitor from blocking its identity.

Sponsors: Representatives Lysen, Casada, Romero, Kenney, Berkey, Sullivan, Wood, Nixon, Hunt, Anderson, Kagi, Linville, Bush, Haigh, Esser, Dickerson, McDermott, O'Brien, Darneille, Chase, Cody, Kirby, Lovick, Fromhold, McIntire, Orcutt, Miloscia, Mulliken, Rockefeller, Campbell, Ogden, Santos, Hatfield, Schual-Berke, Conway, Jackley and Simpson.

Brief Summary of Bill

- Prohibits telephone solicitors from interfering with the ability of caller identification devices or services to provide information about the caller to the recipient of the call.

Hearing Date: 1/30/02

Staff: Pam Madson (786-7166).

Background:

No federal law currently prohibits telephone solicitors from interfering with the ability of a consumer to receive a caller's name and number using caller identification (caller ID) services. Several states have passed legislation regulating caller ID services. The Federal Trade Commission (FTC) has recently proposed provisions prohibiting the blocking of names and numbers of the calling party for purposes of circumventing caller ID services as part of a broader proposal to change telemarketing sales rules.

Summary of Bill:

A telephone solicitor is prohibited from engaging in the following actions: (1) Blocking a telephone number to evade caller ID devices; (2) interfering with or circumventing the ability of a caller identification service to provide information about the caller to the recipient of the call; and (3) failing to provide caller information in a manner accessible by a caller identification service. Failure to use equipment capable of transmitting caller identification information is not by itself a violation of this provision.

The Department of Licensing must investigate complaints and may assess an administrative penalty up to \$1,000 per violation. A violation may also result in the suspension or revocation of a telephone solicitor's license.

Individuals may also bring an action against a commercial telephone solicitor for violation of this provision. A court may assess a civil penalty of no less than \$500, and no more than \$2000, in addition to actual damages, court costs and attorneys' fees.

Appropriation: None.

Fiscal Note: Not Requested.

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