
HOUSE BILL 1402

State of Washington

57th Legislature

2001 Regular Session

By Representatives Pflug, Romero, Cairnes, Anderson, Jarrett, Boldt, Campbell, Doumit, Morris, Hatfield, Linville, Kagi, Grant, Haigh, Conway, Keiser, Bush, Lisk, Esser and Rockefeller

Read first time 01/25/2001. Referred to Committee on Technology, Telecommunications & Energy.

1 AN ACT Relating to commercial telephone solicitation; amending RCW
2 19.158.110; adding a new section to chapter 80.01 RCW; adding a new
3 section to chapter 19.158 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 80.01 RCW
6 to read as follows:

7 (1) The commission shall establish and maintain a no sales call
8 list. The no sales call list shall contain the name and telephone
9 number or numbers of residents who do not want to receive telephone
10 solicitation calls. Residents must register at no charge with the
11 commission to appear on the no sales call list.

12 (2) The commission shall:

13 (a) Update the no sales call list monthly;

14 (b) Determine the method of making the current list available at no
15 charge to commercial telephone solicitors; and

16 (c) Inform the resident that, once registered, it may take up to
17 one hundred twenty days to experience a reduction in commercial
18 solicitation calls.

1 (3) The commission has the authority to contract with a third party
2 to maintain the no sales call list.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.158 RCW
4 to read as follows:

5 A person who does not want to receive unsolicited telephone sales
6 calls may register and be placed on the Washington utilities and
7 transportation commission's no sales call list, created in section 1 of
8 this act.

9 **Sec. 3.** RCW 19.158.110 and 1989 c 20 s 11 are each amended to read
10 as follows:

11 (1) Within the first minute of the telephone call, a commercial
12 telephone solicitor or salesperson shall:

13 (a) Identify himself or herself, the company on whose behalf the
14 solicitation is being made, the property, goods, or services being
15 sold; and

16 (b) Terminate the telephone call within ten seconds if the
17 purchaser indicates he or she does not wish to continue the
18 conversation.

19 (2) If at any time during the telephone contact, the purchaser
20 states or indicates that he or she does not wish to be called again by
21 the commercial telephone solicitor or wants to have his or her name and
22 individual telephone number removed from the telephone lists used by
23 the commercial telephone solicitor:

24 (a) The commercial telephone solicitor shall not make any
25 additional commercial telephone solicitation of the called party at
26 that telephone number within a period of at least one year; and

27 (b) The commercial telephone solicitor shall not sell or give the
28 called party's name and telephone number to another commercial
29 telephone solicitor: PROVIDED, That the commercial telephone
30 solicitor may return the list, including the called party's name and
31 telephone number, to the company or organization from which it received
32 the list.

33 (3) No commercial telephone solicitor or salesperson may make or
34 cause to be made any unsolicited telephone call to a residential,
35 mobile, or telephonic paging device telephone number if the number for
36 the telephone appears in the current no sales call list published by

1 the Washington utilities and transportation commission under the
2 authority of section 1 of this act.

3 (4) The utilities and transportation commission shall by rule
4 ensure that telecommunications companies inform their residential
5 customers of the provisions of this section. The notification may be
6 made by:

7 (a) Annual inserts in the billing statements mailed to residential
8 customers; or

9 (b) Conspicuous publication of the notice in the consumer
10 information pages of local telephone directories.

11 ~~((4))~~ (5) If a sale or an agreement to purchase is completed, the
12 commercial telephone solicitor must inform the purchaser of his or her
13 cancellation rights as enunciated in this chapter, state the
14 registration number issued by the department of licensing, and give the
15 street address of the seller.

16 ~~((5))~~ (6) If, at any time prior to sale or agreement to purchase,
17 the commercial telephone solicitor's registration number is requested
18 by the purchaser, it must be provided.

19 ~~((6))~~ (7) All oral disclosures required by this section shall be
20 made in a clear and intelligible manner.

21 NEW SECTION. Sec. 4. If specific funding for the purposes of this
22 act, referencing this act by bill or chapter number, is not provided by
23 June 30, 2001, in the omnibus appropriations act, this act is null and
24 void.

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