



General Assembly

February Session, 2002

Raised Bill No. 484

LCO No. 2056

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING INTERNET PRIVACY AND UNSOLICITED ELECTRONIC MAIL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) No provider of
2 Internet services shall identify or record the Internet sites accessed by
3 an individual customer.

4 (b) The Attorney General may bring an action in the Superior Court
5 against a community antenna television company or a
6 telecommunications company that violates the provisions of this
7 section and may recover a civil penalty of not more than two hundred
8 dollars per violation.

9 Sec. 2. Section 52-570c of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective October 1, 2002*):

11 (a) No person shall use a machine that electronically transmits
12 facsimiles through connection with a telephone network or a device
13 that automatically transmits a recorded telephone message to transmit
14 unsolicited advertising material or an unsolicited telephone message

15 which offers to sell goods or services.

16 (b) (1) No person shall send by electronic mail, or cause to be sent by
17 electronic mail, documents consisting of unsolicited advertising
18 material unless: (A) Such person identifies in the electronic mail a toll-
19 free telephone number or a valid return electronic mail address that
20 the recipient of the unsolicited documents may use to notify the sender
21 to not send any further unsolicited electronic mail, and (B) the subject
22 line of the electronic mail identifies the document as an advertisement.

23 (2) Notwithstanding the provisions of subdivision (1) of this section,
24 no person shall send by electronic mail, or cause to be sent by
25 electronic mail, documents consisting of unsolicited advertising
26 material upon notification by a recipient of his or her request to not
27 receive any further such documents.

28 (3) For purposes of this subsection, "person" does not mean an
29 electronic mail service provider, as defined in section 53-451.

30 ~~[(b)]~~ (c) Any person aggrieved by a violation of the provisions of
31 [subsection (a) of] this section may bring a civil action in the Superior
32 Court to enjoin further violations and to recover the actual damages
33 sustained by reason of such violation, together with costs and a
34 reasonable attorney's fee, or two hundred dollars, whichever is greater.
35 No such action shall be brought but within two years from the date of
36 the act complained of.

37 (d) The Attorney General may bring an action in the Superior Court
38 against any person engaged in a pattern or practice of violating the
39 provisions of this section and may recover a civil penalty of not more
40 than two hundred dollars per violation. As used in this subsection,
41 "pattern or practice" means two or more separate and distinct
42 violations of this section within a one-month period.

This act shall take effect as follows:	
Section 1	October 1, 2002

Sec. 2

October 1, 2002

Statement of Purpose:

To prohibit an Internet service provider from recording the Internet sites accessed by an individual customer and to place certain restrictions on persons sending unsolicited electronic mails.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]