



General Assembly

**Substitute Bill No. 407**

February Session, 2008

\* SB00407JUD\_\_042108\_\_ \*

**AN ACT CONCERNING "ROBO" CALLS.**

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

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) As used this section:

2 (1) "Automatic dialing-announcing device" means a device that  
3 selects and dials telephone numbers and, working alone or in  
4 conjunction with other equipment, disseminates a prerecorded or  
5 synthesized voice message to the telephone number called;

6 (2) "Caller" means a person, corporation, firm, partnership,  
7 association or legal or commercial entity that attempts to contact, or  
8 who contacts, a subscriber in this state by using a telephone or a  
9 telephone line;

10 (3) "Subscriber" means a person who subscribes to telephone service  
11 from a telephone company or any other person living or residing with  
12 the subscribing person; and

13 (4) "Message" means any telephone call, regardless of its content.

14 (b) No caller shall use or connect to a telephone line an automatic  
15 dialing-announcing device for the purpose of placing a call or playing  
16 a message unless the call or message is immediately preceded by a  
17 statement identifying the caller and the person or entity that paid for  
18 such call or message.

19 (c) The Attorney General may issue subpoenas or interrogatories  
20 requiring production of evidence or testimony concerning a violation  
21 of subsection (b) of this section. The Attorney General may apply to  
22 the Superior Court to enforce any subpoenas or interrogatories issued  
23 pursuant to this subsection.

24 (d) The Attorney General may file a civil action against a caller in  
25 the Superior Court to enforce the provisions of subsection (b) of this  
26 section and to enjoin further violations of subsection (b) of this section.  
27 The Attorney General may recover actual damages or statutory  
28 damages of five thousand dollars, whichever is greater, for each  
29 violation of subsection (b) of this section. For the purposes of this  
30 subsection, each telephone call received in violation of subsection (b)  
31 of this section shall constitute a separate and distinct violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	New section

**JUD**      *Joint Favorable Subst.*