



General Assembly

January Session, 2009

Raised Bill No. 975

LCO No. 3743

03743 _____ GL_

Referred to Committee on General Law

Introduced by:
(GL)

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, 2009*) (a) As used in this
2 section:

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

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

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

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

15 (b) No caller shall use or connect to a telephone line an automatic
16 dialing-announcing device for the purpose of placing a call or playing
17 a message unless the call or message is: (1) Immediately preceded by a
18 statement identifying the caller and the person or entity that paid for
19 such call or message, (2) the caller identification display on the
20 recipient's telephone displays the telephone number from which the
21 call is being made and the name of the caller or the entity responsible
22 for making the call, and (3) the device is designed and operated to
23 disconnect not later than ten seconds after termination of the telephone
24 call by the recipient of the call.

25 (c) The Attorney General may issue subpoenas or interrogatories
26 requiring production of evidence or testimony concerning a violation
27 of subsection (b) of this section. The Attorney General may apply to
28 the Superior Court to enforce any subpoenas or interrogatories issued
29 pursuant to this subsection.

30 (d) The Attorney General may file a civil action against a caller in
31 the Superior Court to enforce the provisions of subsection (b) of this
32 section and to enjoin further violations of subsection (b) of this section.
33 The Attorney General may recover actual damages or statutory
34 damages of five thousand dollars, whichever is greater, for each
35 violation of subsection (b) of this section. For the purposes of this
36 subsection, each telephone call received in violation of subsection (b)
37 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	October 1, 2009	New section

Statement of Purpose:

To place restrictions on the use of automatic dialing-announcing devices.

[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.]