

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 724
Committee Substitute Favorable 4/29/19

Short Title: Truth in Caller ID Act.

(Public)

Sponsors:

Referred to:

April 15, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE USE OF MISLEADING TELEPHONE IDENTIFICATION
3 METHODS FOR TELEPHONE SOLICITATIONS BY VOICE OR TEXT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 75-101 reads as rewritten:

6 "**§ 75-101. Definitions.**

7 The following definitions apply in this Article:

8 ...

9 (9) Telephone solicitation. – A voice or text communication, whether
10 prerecorded, live, or a facsimile, over a telephone line or wireless telephone
11 network or via a commercial mobile radio service that is made by a telephone
12 solicitor to a telephone subscriber for the purpose of soliciting or encouraging
13 the purchase or rental of, or investment in, property, goods, or services;
14 obtaining or providing information that will or may be used for that purpose;
15 soliciting or encouraging a telephone subscriber's participation in any contest,
16 sweepstakes, raffle, or lottery, whether legal or illegal; or obtaining a
17 charitable donation. "Telephone solicitation" also includes those transactions
18 that are defined as "telemarketing" under the Telemarketing Sales Rule.

19 ...

20 (12) Unsolicited telephone call. – A voice or text communication, whether
21 prerecorded, live, or a facsimile, over a telephone line or wireless telephone
22 network or via a commercial mobile radio service that is made by a person to
23 a telephone subscriber without prior express invitation or permission."

24 **SECTION 2.** G.S. 75-102 reads as rewritten:

25 "**§ 75-102. Restrictions on telephone solicitations.**

26 ...

27 (i) No telephone solicitor shall ~~knowingly use any method to block or otherwise~~
28 ~~circumvent a telephone subscriber's use of a caller identification service. cause misleading~~
29 information to be transmitted to users of caller identification technologies or otherwise block or
30 misrepresent the origin of the telephone solicitation. No provider of telephone caller
31 identification services shall be held liable for violations of this subsection committed by other
32 individuals or entities. It is not a violation of this subsection for a telephone solicitor to utilize
33 the name and number of the entity the solicitation is being made on behalf of rather than the name
34 and number of the telephone solicitor.

35"

36 **SECTION 3.** This act becomes effective December 1, 2019.



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