GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023

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H.B. 682				
Apr 18, 2023				
HOUSE PRINCIPAL CLERK				

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HOUSE BILL DRH40378-MC-18

Short Title:	Strengthen Do Not Call/Text Registry.	(Public)
Sponsors:	Representative Harrison.	
Referred to:		

1		A BILL TO BE ENTITLED			
2	AN ACT TO STRENGTHEN THE DO NOT CALL/DO NOT TEXT REGISTRY.				
3	The General Assembly of North Carolina enacts:				
4	S	ECTION 1. G.S. 75-101 reads as rewritten:			
5	"§ 75-101.]	Definitions.			
6	The follo	owing definitions apply in this Article:			
7					
8	()	9) Telephone solicitation. – A voice or text communication, whether			
9		prerecorded, live, or a facsimile, over a telephone line or wireless telephone			
10		network or via a commercial mobile radio service that is made by a telephone			
11		solicitor to a telephone subscriber for the purpose of soliciting or encouraging			
12		the purchase or rental of, or investment in, property, goods, or services;			
13		obtaining or providing information that will or may be used for that purpose;			
14		soliciting or encouraging a telephone subscriber's participation in any contest,			
15		sweepstakes, raffle, or lottery, whether legal or illegal; creating a lead or			
16		referral for which the solicitor will receive or hopes to receive compensation;			
17		or obtaining a charitable donation. "Telephone solicitation" also includes			
18		those transactions that are defined as "telemarketing" under the Telemarketing			
19	,	Sales Rule.			
20	(10) Telephone solicitor. – Any individual, business establishment, business, or			
21		other legal entity doing business in this State that, directly or through			
22		salespersons or salespersons, agents, subagents, contractors, or other			
23		third-party vendors, makes or attempts to make telephone solicitations or			
24 25		causes telephone solicitations to be made. "Telephone solicitor" also includes			
23 26		any party defined as a "telemarketer" under the Telemarketing Sales Rule. <u>The</u> term also includes any party that receives a sales lead or inbound call from a			
20 27		telephone subscriber and knows or has reason to know that the lead or inbound			
28		call from the subscriber was generated by a telephone call.			
28 29		"			
30	S	ECTION 2. G.S. 75-102 reads as rewritten:			
31		Restrictions on telephone solicitations.			
32	J / C IVA. I	contenents on telephone bonemations.			
33	(c) A	Any telephone solicitor who makes a telephone solicitation shall do all of the			
34	following:	,			
35	· · · · · · · · · · · · · · · · · · ·				



	General Assembly Of North Carolina	Session 2023
1	(5) Notwithstanding subdivision (3)	of this subsection, if a telephone solicitor
2	relies on the established busine	ess relationship of an affiliate to solicit a
3	1	whose telephone number is listed in the latest
4		gistry and the person called communicates a
5		elephone solicitations from the telephone
6	1	shall take all steps necessary to remove that
7	1 1	e number from the contact lists of the
8	1	ate, unless the telephone subscriber indicates
9		icitor and that affiliate shall stop calling the
10	telephone subscriber at that num	per within 60-30 business days.
11	"	
12	SECTION 3. G.S. 75-104 reads as rew	
13	"§ 75-104. Restrictions on use of automatic diali	
14		erson person, whether directly or through a
15	salesperson, agent, subagent, contractor, or third-pa	ty vendor, may use an automatic dialing and
16	recorded message player to make an unsolicited tele	phone call.
17		
18	(c) <u>Any party that knows or has reason to kn</u>	ow that the sales leads or inbound telephone
19	calls it is receiving or accepting were generated by	calls placed by another party or parties in
20	violation of subsection (a) of this section shall be je	bintly liable under this act with said party or
21	parties for each call or lead that is received or accept	<u>ted.</u> "
22	SECTION 4. This act is effective when	it becomes law.