By Senator Sebesta

20-1517-99

1   A bill to be entitled

2   An act relating to telephone solicitation;

3   amending s. 501.059, F.S.; prohibiting

4   telephone solicitors from making unsolicited

5   calls without complete caller identification

6   information; providing penalties; providing an

7   effective date.

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9   Be It Enacted by the Legislature of the State of Florida:

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11   Section 1.   Subsection (11) is added to Section

12   501.059, Florida Statutes, to read:

13   501.059   Telephone solicitation.--

14   (11) It is the intent of the Legislature to protect

15   consumers from unwanted telephone solicitations and afford

16   consumers all possible information regarding the identity of

17   any telephone solicitor who places a call to that consumer. A

18   telephone solicitor may not make or cause to be made any

19   unsolicited telephonic sales call to any residential, mobile,

20   or telephonic paging device telephone number unless all

21   possible caller identification information is provided.

22   (a)   Failure to comply with this subsection is an

23   unfair and deceptive trade practice, punishable under the

24   provisions of part II of this chapter.

25   (b)   Any telephone solicitor who knowingly violates

26   this subsection commits a misdemeanor of the first degree,

27   punishable as provided in s. 775.082 or s. 775.083. For the

28   purposes of this subsection, the following actions constitute

29   a knowing violation:

30   1.   Disabling a telephone system's caller

31   indentification generator;

1   2.   Providing a false or fictitious number;

2   3.   Knowingly using telephone equipment that is

3 incapable of providing caller identification information; or

4   4.   Knowingly using a telephone carrier that is

5 incapable of passing on caller identification information to

6 the intended recipient of the telephone solicitation.

7   Section 2.   This act shall take effect October 1, 1999.

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10   SENATE SUMMARY

11 Provides penalties for a telephone solicitor who makes
    unsolicited calls without providing all possible caller
12 identification information.

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