

1 A bill to be entitled
 2 An act relating to telephone solicitation; amending s.
 3 501.059, F.S.; prohibiting certain telephone solicitation
 4 by any person on behalf of a candidate for a federal,
 5 state, or local political office, committee of continuous
 6 existence, or other political entity; 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 (7) of section 501.059, Florida
 12 Statutes, is amended to read:

13 501.059 Telephone solicitation.--

14 (7) (a) No person shall make or knowingly allow a
 15 telephonic sales call to be made if such call involves an
 16 automated system for the selection or dialing of telephone
 17 numbers or the playing of a recorded message when a connection
 18 is completed to a number called.

19 (b) No person on behalf of a candidate for a federal,
 20 state, or local political office, committee of continuous
 21 existence, or other political entity shall make or knowingly
 22 allow a telephonic call related to a political office or issue
 23 to be made to any number on the department's "no sales
 24 solicitation calls" list if such call involves an automated
 25 system for the selection or dialing of telephone numbers or the
 26 playing of a recorded message when a connection is completed to
 27 a number called.

28 (c) ~~(b)~~ Nothing herein prohibits the use of an automated
29 telephone dialing system with live messages if the calls are
30 made or messages given solely in response to calls initiated by
31 the persons to whom the automatic calls or live messages are
32 directed or if the telephone numbers selected for automatic
33 dialing have been screened to exclude any telephone subscriber
34 who is included on the department's then-current "no sales
35 solicitation calls" listing or any unlisted telephone number, or
36 if the calls made concern goods or services that have been
37 previously ordered or purchased.

38 (d) ~~(e)~~ It shall be unlawful for any person who makes a
39 telephonic sales call or causes a telephonic sales call to be
40 made to fail to transmit or cause not to be transmitted the
41 telephone number and, when made available by the telephone
42 solicitor's carrier, the name of the telephone solicitor to any
43 caller identification service in use by a recipient of a
44 telephonic sales call. However, it shall not be a violation to
45 substitute, for the name and telephone number used in or billed
46 for making the call, the name of the seller on behalf of which a
47 telephonic sales call is placed and the seller's customer
48 service telephone number, which is answered during regular
49 business hours. For purposes of this section, the term "caller
50 identification service" means a service that allows a telephone
51 subscriber to have the telephone number and, where available,
52 the name of the calling party transmitted contemporaneously with
53 the telephone call and displayed on a device in or connected to
54 the subscriber's telephone.

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55 (e)~~(d)~~ It shall be unlawful for any person who makes a
56 telephonic sales call or causes a telephonic sales call to be
57 made to intentionally alter the voice of the caller in an
58 attempt to disguise or conceal the identity of the caller in
59 order to defraud, confuse, or financially or otherwise injure
60 the recipient of a telephonic sales call or in order to obtain
61 personal information from the recipient of a telephonic sales
62 call which may be used in a fraudulent or unlawful manner.

63 Section 2. This act shall take effect July 1, 2007.