



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND FIVE

AN ACT RELATIVE TO TELECOMMUNICATION SERVICES AND ELECTRONIC MAIL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 93A of the General Laws is hereby amended by adding the following section:—

Section 12. As used in this section, the following terms shall have the following meaning:-

“Inbound call center” a physical or electronic operation that utilizes telecommunication services or electronic mail in one or more of the following activities: customer services; soliciting sales; reactivating dormant accounts; conducting surveys or research; collection of receivables; receiving reservations; receiving orders; or taking orders.

“Personal information” any personally identifiable information that is provided by a person to an inbound call center, which shall include, but not limited to, financial and credit information, or a name, address, telephone number or Social Security number.

Within the first 30 seconds of answering a telephone call made by a person to an inbound call center, an employee at the call center shall identify himself, by stating his name; the name of his employer; the location of the municipality, state and country in which he is located; and, if applicable, the name and telephone number of a customer service representative of the entity utilizing the services of his employer.

Any telephone call to an inbound call center located in a foreign country shall be rerouted to a call center located in the United States, if such a request is made by the caller.

An employee at an inbound call center operating in a foreign country shall not solicit any personal information, whether by telephone or by an electronic mail message, unless the employee first informs the caller that disclosing that information to the employee is optional, and receives the affirmative consent of the caller to whom the information relates. In the case of such communication by telephone, an audio recording of that telephone call shall be made and retained.

An employee of an inbound call center who responds to an electronic mail message from a person shall identify: himself, by stating his name; the name of his employer; the location of the municipality, state and country in which he is located; and, if applicable, the name and telephone number of a customer service representative of the entity utilizing the services of his employer.

A violation of this section shall be unfair practice.