

LEGISLATURE

2005 Regular Session

To: Public Utilities

By: Representative Fleming

House Bill 532

AN ACT TO AMEND SECTION 77-3-723, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY PERSON OR ENTITY THAT MAKES AN AUTHORIZED TELEPHONE SOLICITATION TO STATE AT THE COMMENCEMENT OF THE CALL THE GEOGRAPHICAL LOCATION FROM WHICH THE CALL IS PLACED; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 77-3-723, Mississippi Code of 1972, is amended as follows:

77-3-723. (1) Any person or entity who makes an authorized telephone solicitation to a consumer in this state shall announce clearly, at the beginning of each call, his or her name, the company he or she represents, the geographical location from which the call is placed and the purpose of the call. Such calls may only be made between the hours of 8:00 a.m. and 8:00 p.m. Central Standard Time. No telephone solicitations may be made on a Sunday. For purposes of this provision, an "authorized telephone solicitation" means a solicitation that is made: (a) to a consumer who is not listed on the most current "no-calls" database; (b) by a telephone solicitor who has been authorized to make such solicitations under the provisions of Section 77-3-709 * * *; or (c) by a telephone solicitor who is exempt from this article under the provisions of Section 77-3-711 * * *.

(2) A person or entity who makes a telephone solicitation to a consumer in this state may not utilize knowingly any method that blocks or otherwise circumvents the consumer's use of a caller identification service, nor may the person or entity use an automated dialing system or any like system that uses a recorded voice message to communicate with the consumer unless the person or entity has an established business relationship with the consumer and uses the recorded voice message to inform the consumer about a new product or service.

SECTION 2. This act shall take effect and be in force from and after July 1, 2005.
