

Introduced by Representatives Hingtgen of Burlington and Sweaney of Windsor

Referred to Committee on

Date:

Subject: Executive branch; state contracts; foreign call centers; identification

Statement of purpose: This bill proposes to restrict the state from contracting with entities that use foreign-based call centers.

#### AN ACT RELATING TO STATE CONTRACTS AND FOREIGN CALL CENTERS

It is hereby enacted by the General Assembly of the State of Vermont:

##### Sec. 1. STATE CONTRACTS FOR TELEMARKETING SERVICES; REQUIREMENTS

(a) No state entity or subdivision may contract for telemarketing services or telephone center services with any vendor that provides telemarketing or telephone center services that are not performed by individuals in the United States.

(b) Every vendor submitting a bid or contract to provide services for the state shall include a certification that only employees working in the United States will be performing services under any contract with the state.

(c) A contract entered into or performed in violation of this section is void. A contract that is void may continue in effect until an alternative contract can be entered into if immediate termination would result in harm to the public health or welfare, and the continuation is approved by the Secretary of Administration. The continuation shall be approved for no more than the minimum time required to protect the public health or welfare.

Sec. 2. 9 V.S.A. § 2464e is added to read:

##### § 2464e. TELEMARKETING CUSTOMERS; INFORMATION REQUIRED

(a) For the purposes of this section,

(1) "Customer sales call center" means an entity that initiates or receives telephone communications on behalf of any person for the purpose of initiating sales, including telephone solicitation for money or services or providing or receiving services or information necessary for providing services or other benefits.

(2) "Customer service call center" means an entity that initiates or receives telephone communications on behalf of any person for the purpose of providing or receiving services or information necessary in connection with the provision of services or other benefits.

(b) Any person who receives a telephone call from or places a telephone call to a customer sales call center or a customer service call center has the right to:

(1) Be told the city, state, and country in which the customer service employee is located.

(2) Be told the name and contact telephone number of the company or government agency that employed or contracted with the customer call center.

(3) Be told the name of the employer of the company call center employee.

(4) Speak to a qualified employee of the company or government agency with which the person is doing business.

Sec. 3. EFFECTIVE DATE

This act shall take effect on October 1, 2004, and shall apply to contracts entered into on or after that date.