



# HOUSE BILL 724: Truth in Caller ID Act.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2019-2020 General Assembly

<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	July 1, 2019
<b>Introduced by:</b>	Reps. Moore, Saine, Shepard, Humphrey	<b>Prepared by:</b>	Bill Patterson
<b>Analysis of:</b>	Second Edition		Staff Attorney

**OVERVIEW:** *House Bill 724 would regulate telephone solicitations made through text communications and would prohibit a telephone solicitor from misrepresenting the origin of the call by causing misleading information to be transmitted to users of caller identification technologies.*

**CURRENT LAW:** Article 4 of Chapter 75 of the General Statutes regulates telephone solicitations made through voice communications and does not currently regulate solicitations made through telephonic text messages. Among other things, Article 4 prohibits a telephone solicitor from knowingly using any method to block a telephone subscriber's caller identification service.

Persons who violate Article 4 are potentially subject to a civil penalty in the amount of \$500 for the first violation, \$1,000 for the second violation, and \$5,000 for any subsequent violation occurring within two years of the first violation, unless they show that the violations were the result of a mistake, in which event the penalty is \$100 for each violation occurring within two years of the first violation. In any action brought under this Article a prevailing plaintiff is entitled to treble damages and the court may award reasonable attorneys' fees if the court finds the defendant willfully engaged in the act or practice.

**BILL ANALYSIS:**

**Section 1** of House Bill 724 would subject telephone solicitations made through text communications to the prohibitions and penalties provided in Article 4.

**Section 2** would prohibit a telephone solicitor from causing misleading information to be transmitted to users of caller identification technologies or blocking or misrepresenting the origin of the solicitation. It would not be a violation of this prohibition for solicitors to use the name and number of the entity on whose behalf the solicitation is being made rather than the solicitor's name and number.

**EFFECTIVE DATE:** This act becomes effective December 1, 2019 and applies to offenses committed on or after that date.

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