



HOUSE BILL 724: Truth in Caller ID Act.

2019-2020 General Assembly

Committee:		Date:	December 12, 2019
Introduced by:		Prepared by:	Bill Patterson Staff Attorney
Analysis of:	S.L. 2019-188		

OVERVIEW: *S.L. 2019-188 regulates telephone solicitations made through text communications and prohibits a telephone solicitor from misrepresenting the origin of the call by causing misleading information to be transmitted to users of caller identification technologies.*

This act became effective December 1, 2019, and applies to offenses committed after that date.

CURRENT LAW: Article 4 of Chapter 75 of the General Statutes regulates telephone solicitations made through voice communications but not those made through telephonic text messages. Article 4 also prohibits a telephone solicitor from knowingly using any method to block a telephone subscriber's caller identification service.

Persons who violate Article 4 of Chapter 75 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 Article 4, 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 this act subjects telephone solicitations made through text communications to the prohibitions and penalties provided in Article 4 of Chapter 75 of the General Statutes.

Section 2 prohibits 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 is not 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 became effective December 1, 2019 and applies to offenses committed on or after that date.

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Director



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