

# Senate Bill 721

Sponsored by Senator BOQUIST

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Clarifies that automatic dialing and announcing device cannot dial number of subscriber who appears on list compiled to inform callers that subscriber does not want to receive telephone solicitations from callers unless list exempts calls of type made for purpose caller is contacting or attempting to contact subscriber.

## A BILL FOR AN ACT

1  
2 Relating to automatic dialing and announcing devices; creating new provisions; and amending ORS  
3 646A.372.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 646A.372 is amended to read:

6 646A.372. (1) A caller may not use an automatic dialing and announcing device in order to call  
7 a subscriber unless the device is designed and operated so as to disconnect within 10 seconds after  
8 the subscriber terminates the call.

9 (2) A caller may not use an automatic dialing and announcing device that dials telephone num-  
10 bers randomly or sequentially unless the range of telephone numbers from which the device chooses  
11 the number to dial does not include numbers for:

12 (a) Fire protection, law enforcement or other emergency agencies;

13 (b) Hospital and health care facilities, physician's offices, poison control centers or suicide pre-  
14 vention or domestic violence counseling services; and

15 (c) Subscribers who appear on a list compiled for the purpose of informing potential callers that  
16 the subscriber does not want to receive telephone solicitations **unless the list contains ex-**  
17 **emptions for the purpose for which the caller is contacting or attempting to contact a sub-**  
18 **scriber.**

19 (3) Subsection (2)(c) of this section does not apply to a caller who:

20 (a) Has an established business relationship with the subscriber;

21 (b) Is subject to regulation under the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq.;

22 (c) Is a representative of a public safety or law enforcement agency; or

23 (d) Is a representative of a school district or school if the subscriber is an employee of the  
24 school district, a student or the student's parent, guardian or other family member.

25 (4) A caller who uses an automatic dialing and announcing device may use the device to call a  
26 subscriber only between the hours of 9 a.m. and 9 p.m.

27 **SECTION 2.** The amendments to ORS 646A.372 by section 1 of this 2009 Act apply to calls  
28 made on or after the effective date of this 2009 Act.

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.