

## HOUSE AMENDMENTS TO HOUSE BILL 3031

By COMMITTEE ON CONSUMER PROTECTION AND GOVERNMENT EFFECTIVENESS

April 6

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest of the line and line 3  
2 and insert “creating new provisions; amending ORS 646A.372 and 646A.376; and declaring an emer-  
3 gency.”.

4 Delete lines 10 through 14 and insert:

5 “(b) The device provides, and the prerecorded or synthesized voice message that the device plays  
6 describes, a method by which a subscriber, within the first 10 seconds after a call begins, may enter  
7 a single dual-tone multifrequency signal or otherwise enter or speak a one-digit code to notify the  
8 caller that the subscriber does not want to receive any future calls from the caller.”.

9 In line 15, delete “(2)” and insert “(2)(a)”.

10 In line 18, delete “(a)” and insert “(A)”.

11 In line 19, delete “(b)” and insert “(B)”.

12 In line 20, restore the bracketed material.

13 Delete lines 21 through 28 and insert:

14 “(C) Subscribers who used the method described in subsection (1)(b) of this section to notify the  
15 caller that the subscribers do not want to receive any future calls from the caller.

16 “(b) Paragraph (a) of this subsection does not apply to a caller that:

17 “(A) Is a collection agency, as defined in ORS 697.005, or a debt collector, as defined in ORS  
18 646.639; or

19 “(B) Is a representative of a public safety or law enforcement agency.

20 “(3)(a) A caller may not use an automatic dialing and announcing device that dials telephone  
21 numbers randomly or sequentially unless the range of telephone numbers from which the device  
22 chooses the number to dial does not include numbers for subscribers who appear on an official list  
23 that a government agency compiled for the purpose of informing potential callers that the sub-  
24 scribers do not want to receive telephone solicitations.

25 “(b) Paragraph (a) of this subsection does not apply to a caller that:

26 “(A) Has, with the subscriber, an established business relationship, as defined in 47 C.F.R.  
27 64.1200(f)(5), as in effect on the operative date specified in section 4 of this 2015 Act;”.

28 On page 2, delete lines 6 through 9.

29 After line 11, insert:

30 “**SECTION 2.** ORS 646A.376 is amended to read:

31 “646A.376. Violation of ORS 646A.372 or 646A.374 is an unlawful trade practice **that is subject**  
32 **to investigation under ORS 646.618 and is** subject to enforcement under ORS 646.632.  
33 Notwithstanding the provisions of ORS 646.642, a civil penalty imposed for a violation of ORS  
34 646A.372 or 646A.374 may not exceed \$5,000.

35 “**SECTION 3.** The amendments to ORS 646A.372 and 646A.376 by sections 1 and 2 of this

1 2015 Act apply to calls that a caller makes using an automatic dialing and announcing device  
2 on or after the operative date specified in section 4 of this 2015 Act.

3 “SECTION 4. The amendments to ORS 646A.372 and 646A.376 by sections 1 and 2 of this  
4 2015 Act become operative January 1, 2016.

5 “SECTION 5. This 2015 Act being necessary for the immediate preservation of the public  
6 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
7 on its passage.”.

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