

# House Bill 3031

Sponsored by Representative FAGAN

## 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**.

Requires caller that uses automatic dialing and announcing device in prerecorded or synthesized voice message that device plays to subscriber to accurately and truthfully identify caller and to provide telephone number or other contact information that subscriber may use to notify caller that subscriber does not want to receive calls from caller.

Prohibits caller from including telephone number of subscriber that has notified caller that subscriber does not want to receive calls in list of telephone numbers from which automatic dialing and announcing device chooses telephone number to dial.

## A BILL FOR AN ACT

1  
2 Relating to requirements for calls from automatic dialing and announcing devices; 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:

8 (a) The device is designed and operated so as to disconnect within 10 seconds after the sub-  
9 scriber terminates the call[.]; **and**

10 (b) **The prerecorded or synthesized voice message that the device plays:**

11 (A) **Accurately and truthfully identifies the caller; and**

12 (B) **Provides a telephone number that a subscriber may call or other contact information**  
13 **a subscriber may use to notify the caller that the subscriber does not want to receive calls**  
14 **from the caller.**

15 (2) A caller may not use an automatic dialing and announcing device [*that dials telephone num-*  
16 *bers randomly or sequentially*] **to make a call** unless the range of telephone numbers from which the  
17 device chooses the number to dial does not include numbers for:

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

19 (b) Hospital and health care facilities, physician's offices, poison control centers or suicide pre-  
20 vention or domestic violence counseling services; [*and*]

21 (c) Subscribers who appear on [*a*] **an official list that a government agency** compiled for the  
22 purpose of informing potential callers that the [*subscriber does*] **subscribers do** not want to receive  
23 telephone solicitations[.]; **and**

24 (d) **Subscribers who used the telephone number or other contact information described**  
25 **in subsection (1)(b)(B) of this section to notify the caller that the subscribers do not want**  
26 **to receive calls from the caller.**

27 (3)(a) Subsection (2)(c) of this section does not apply to a caller [*who*] **that:**

28 [*a*] (A) Has an established business relationship with the subscriber;

**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.

1        [(b)] **(B)** Is subject to regulation under the Fair Debt Collection Practices Act, 15 U.S.C. 1692  
2 et seq.;

3        [(c)] **(C)** Is a representative of a public safety or law enforcement agency; or

4        [(d)] **(D)** Is a representative of a school district or school if the subscriber is an employee of the  
5 school district, a student or the student's parent, guardian or other family member.

6        **(b) Subsection (2)(d) of this section does not apply to a caller that:**

7        **(A) Is subject to regulation under the Fair Debt Collection Practices Act, 15 U.S.C. 1692**  
8 **et seq.; or**

9        **(B) Is a representative of a public safety or law enforcement agency.**

10        (4) A caller [*who*] **that** uses an automatic dialing and announcing device may use the device to  
11 call a subscriber only between the hours of 9 a.m. and 9 p.m.

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