

**PROPOSED AMENDMENTS TO
HOUSE BILL 3031**

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

4 Delete lines 10 through 14 and insert:

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

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

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

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

14 In line 20, restore the bracketed material.

15 Delete lines 21 through 28 and insert:

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

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

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

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

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

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

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

11 On page 2, delete lines 6 through 9.

12 After line 11, insert:

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

14 “646A.376. Violation of ORS 646A.372 or 646A.374 is an unlawful trade
15 practice **that is subject to investigation under ORS 646.618 and is** subject
16 to enforcement under ORS 646.632. Notwithstanding the provisions of ORS
17 646.642, a civil penalty imposed for a violation of ORS 646A.372 or 646A.374
18 may not exceed \$5,000.

19 **“SECTION 3.** The amendments to ORS 646A.372 and 646A.376 by
20 sections 1 and 2 of this 2015 Act apply to calls that a caller makes us-
21 ing an automatic dialing and announcing device on or after the oper-
22 ative date specified in section 4 of this 2015 Act.

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

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

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