

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2234

H.P. 1433

House of Representatives, February 28, 2024

An Act to Require Telephone Solicitors to Use the Reassigned Numbers Database

Reported by Representative ZEIGLER of Montville for the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2023, chapter 144, section 6.

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA §1499-B, sub-§1, ¶D-2** is enacted to read:

3 D-2. "Reassigned numbers database" means a database created and maintained by the
4 Federal Communications Commission that identifies whether a telephone number has
5 been reassigned.

6 **Sec. 2. 10 MRSA §1499-B, sub-§6**, as amended by PL 2007, c. 489, §3, is further
7 amended to read:

8 **6. Telephone solicitation violations.** It is a violation of this section for a telephone
9 solicitor to initiate a telephone sales call to a consumer if that consumer's telephone number
10 has been on the national or state do-not-call registry, established by the Federal Trade
11 Commission, for at least 3 months prior to the date the call is made or to fail to use the
12 reassigned numbers database to verify that a consumer's telephone number has not been
13 reassigned prior to initiating a telephone sales call to that consumer. A telephone solicitor
14 is not liable for violating this section if the telephone solicitor can demonstrate that:

15 A. As part of the telephone solicitor's routine business practice, the telephone solicitor
16 has established and implemented written procedures to comply with this section;

17 B. As part of the telephone solicitor's routine business practice, the telephone solicitor
18 has trained its personnel, and any entity assisting in its compliance, in the procedures
19 established pursuant to paragraph A;

20 C. As part of the telephone solicitor's routine business practice, the telephone solicitor
21 or another person acting on behalf of the telephone solicitor has recorded and
22 maintained a list of telephone numbers the telephone solicitor may not contact;

23 D. As part of the telephone solicitor's routine business practice, the telephone solicitor
24 uses a process to prevent telemarketing to any telephone number on any list established
25 pursuant to paragraph C or on the national do-not-call registry, employing a version of
26 the national do-not-call registry obtained from the Federal Trade Commission no more
27 than 31 days prior to the date any call is made, and maintains records documenting this
28 process;

29 E. As part of the telephone solicitor's routine business practice, the telephone solicitor
30 or another person acting on behalf of the telephone solicitor monitors and enforces
31 compliance with the procedures established pursuant to paragraph A; ~~and~~

32 E-1. As part of the telephone solicitor's routine business practice, the telephone
33 solicitor or another person acting on behalf of the telephone solicitor uses the
34 reassigned numbers database to verify that a consumer's telephone number has not been
35 reassigned prior to initiating a telephone sales call to that consumer; and

36 F. Any subsequent call otherwise violating this section is the result of error.

37 **SUMMARY**

38 This bill is reported out by the Joint Standing Committee on Energy, Utilities and
39 Technology pursuant to Public Law 2023, chapter 144, section 6. The bill amends the law
40 related to telephone solicitations to require a telephone solicitor to use the Federal
41 Communications Commission's reassigned numbers database to verify that a consumer's

1 telephone number has not been reassigned prior to initiating a telephone sales call to that
2 consumer.

3 The committee has not taken a position on the substance of this bill. By reporting this
4 bill out, the committee is not suggesting and does not intend to suggest that it agrees or
5 disagrees with any aspect of this bill. The committee is reporting the bill out for the sole
6 purpose of having a bill printed that can be referred to the committee for an appropriate
7 public hearing and subsequent processing in the normal course. The committee is taking
8 this action to ensure clarity and transparency in the legislative review of the proposals
9 contained in the bill.