

HOUSE BILL NO. 62

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES OLSON, Stoltze, Chenault, Wilson, LeDoux, McGuire

Introduced: 1/10/05

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to prohibiting automated telephone calls for a political advertisement**
2 **to telephone numbers listed as not wanting telephone solicitations; and providing for an**
3 **effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 45.50.475(a) is amended to read:

6 (a) A person is in violation of AS 45.50.471(b)(41) if the person

7 (1) engages in the telephone solicitation of a residential telephone
8 customer of a telecommunications company and the customer is identified in the
9 telephone directory as not wishing to receive telephone solicitations;

10 (2) engages in the telephone solicitation of a customer whose
11 telephone number has been registered with the national do not call registry for the
12 minimum amount of time required by the national do not call registry before the date
13 the call is made;

14 (3) engages in the telephone solicitation of a customer who has

1 previously communicated to the telephone solicitor, or to the business enterprise or
 2 charitable organization for which the person is calling, the customer's desire not to
 3 receive telephone solicitations to that number; [OR]

4 (4) originates a telephone call using an automated or recorded message
 5 as a telephonic advertisement or a telephone solicitation; **or**

6 **(5) originates a telephone call using an automated or recorded**
 7 **message to the telephone number of a residential telephone customer identified**
 8 **under (1) of this subsection or registered under (2) of this subsection and the**
 9 **purpose of the call is to communicate a message made to convince potential**
 10 **voters concerning the outcome of an election of a candidate or made to influence**
 11 **the outcome of a proposition as that term is defined by AS 15.13.065(c),**
 12 **notwithstanding the exemption from the definition of telephone solicitation in**
 13 **(g)(4)(B)(iii) of this section.**

14 * **Sec. 2.** AS 45.50.475(a)(5), as enacted by sec. 1 of this Act, is amended to read:

15 (5) originates a telephone call using an automated or recorded message
 16 to the telephone number of a residential telephone customer [IDENTIFIED UNDER
 17 (1) OF THIS SUBSECTION OR] registered under (2) of this subsection and the
 18 purpose of the call is to communicate a message made to convince potential voters
 19 concerning the outcome of an election of a candidate or made to influence the
 20 outcome of a proposition as that term is defined by AS 15.13.065(c), notwithstanding
 21 the exemption from the definition of telephone solicitation in (g)(4)(B)(iii) of this
 22 section.

23 * **Sec. 3.** Section 2 of this Act takes effect the day after the date on which the attorney
 24 general notifies the governor and the revisor of statutes that the national do not call registry is
 25 established and enforced by the Federal Trade Commission and the Federal Communications
 26 Commission.