

Introduced: 3/20/89
Referred: State Affairs
and Judiciary

6-1023A

1 IN THE HOUSE

BY HOFFMAN AND BOUCHER

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HOUSE BILL NO. 232

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the use of facsimile devices for
7 commercial solicitation."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 45.50 is amended by adding a new section to read:

10 Sec. 45.50.475. COMMERCIAL SOLICITATION BY MEANS OF A FACSIMILE
11 DEVICE. (a) A person may not make a transmission to a facsimile
12 device for commercial solicitation. This section applies to all
13 commercial solicitation intended to be received by a facsimile device
14 within the state.

15 (b) A violation of this section constitutes a violation of
16 AS 45.50.471 - 45.50.561. A person who receives a commercial solici-
17 tation in violation of this section is presumed to have suffered an
18 ascertainable loss of money or property under AS 45.50.531 and is
19 entitled to recover actual damages or \$200, whichever is greater,
20 under that section.

21 (c) This section does not prohibit the Alaska Public Utilities
22 Commission from adopting additional regulations concerning trans-
23 missions to facsimile devices.

24 (d) In this section

25 (1) "commercial solicitation" means the unsolicited elec-
26 tronic or telephonic transmission to a facsimile device to encourage a
27 person or persons to purchase property, goods, or services;

28 (2) "facsimile device" is a device that is capable of
29 receiving and copying on to paper reasonable reproductions or

- 1 facsimiles of documents and photographs that have been transmitted
- 2 electronically or telephonically over telecommunication lines.