

SENATE BILL REPORT

SB 5115

As of February 10, 1995

Title: An act relating to political telemarketing.

Brief Description: Regulating political telemarketing.

Sponsors: Senators Quigley, McAuliffe and Pelz.

Brief History:

Committee Activity: Law & Justice: 2/13/95.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Martin Lovinger (786-7443)

Background: The telephone has become an essential campaign tool, but it is subject to abuse. A major complaint involves the use of telephone polls to spread negative information about an opposing candidate. It is felt that this is a particularly unfair practice because it denies the person so attacked the opportunity to respond, or even to know of the attack. In addition, it is also viewed as unfair because telephone polls are often perceived as being nonpartisan, thus giving more weight to the negative information provided.

It is believed that requiring the disclosure of the sponsor of a telephone poll, the candidate or political committee on whose behalf the telephone polling is done, and who paid for the telephone poll, will put the matter in a proper perspective.

Summary of Bill: Telemarketing is added to the list of activities that are political advertising.

Telemarketing is defined as an organized program of contacting individuals by telephone. Telephone polling in which people are contacted at random and no representations are made concerning a person's characteristics or positions on issues, other than about the person on whose behalf the poll is being conducted, is exempt from the definition of telemarketing.

Telemarketing political advertising must identify the sponsor, the person or committee on whose behalf the advertising is being made, and who paid for it.

Appropriation: None.

Fiscal Note: Requested on February 7, 1995.

Effective Date: Ninety days after adjournment of session in which bill is passed.