
HOUSE BILL 2507

State of Washington

56th Legislature

2000 Regular Session

By Representatives Radcliff, Conway, Cooper, Ogden, Ruderman, Kessler, Clements, D. Sommers, Santos, Lantz, Esser, O'Brien and Kagi

Read first time 01/14/2000. Referred to Committee on Technology, Telecommunications & Energy.

1 AN ACT Relating to commercial telephone solicitation; amending RCW
2 19.158.110; adding new sections to chapter 43.10 RCW; adding a new
3 section to chapter 19.158 RCW; and providing for submission of this act
4 to a vote of the people.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.10 RCW
7 to read as follows:

8 (1) The attorney general shall establish and maintain a no sales
9 call list. The no sales call list shall contain the name and telephone
10 number or numbers of residents who do not want to receive telephone
11 solicitation calls. Residents must register with, and pay a fee to,
12 the attorney general to appear on the no sales call list.

13 (2) The attorney general shall:

14 (a) Update the no sales call list twice yearly;

15 (b) Determine the fee for a resident to register for the no sales
16 call list. The fee shall not be more than ten dollars per person, per
17 year, nor shall the fee be more than is required for the attorney
18 general to create and administer the list. Fees received under this

1 section must be deposited in the attorney general's no sales call list
2 account, created in section 2 of this act; and

3 (c) Provide the most up-to-date no sales call list to telephone
4 solicitors.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10 RCW
6 to read as follows:

7 The attorney general's no sales call list account is created in the
8 custody of the state treasurer. All receipts from fees received under
9 section 1 of this act must be deposited into the account. Expenditures
10 from the account may be used only for establishing and maintaining the
11 no sales call list created in section 1 of this act. Only the attorney
12 general or the attorney general's designee may authorize expenditures
13 from the account. The account is subject to allotment procedures under
14 chapter 43.88 RCW, but an appropriation is not required for
15 expenditures.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.158 RCW
17 to read as follows:

18 A person who does not want to receive unsolicited telephone sales
19 calls may register and be placed on the attorney general's no sales
20 call list, created in section 1 of this act.

21 **Sec. 4.** RCW 19.158.110 and 1989 c 20 s 11 are each amended to read
22 as follows:

23 (1) Within the first minute of the telephone call, a commercial
24 telephone solicitor or salesperson shall:

25 (a) Identify himself or herself, the company on whose behalf the
26 solicitation is being made, the property, goods, or services being
27 sold; and

28 (b) Terminate the telephone call within ten seconds if the
29 purchaser indicates he or she does not wish to continue the
30 conversation.

31 (2) If at any time during the telephone contact, the purchaser
32 states or indicates that he or she does not wish to be called again by
33 the commercial telephone solicitor or wants to have his or her name and
34 individual telephone number removed from the telephone lists used by
35 the commercial telephone solicitor:

1 (a) The commercial telephone solicitor shall not make any
2 additional commercial telephone solicitation of the called party at
3 that telephone number within a period of at least one year; and

4 (b) The commercial telephone solicitor shall not sell or give the
5 called party's name and telephone number to another commercial
6 telephone solicitor: PROVIDED, That the commercial telephone
7 solicitor may return the list, including the called party's name and
8 telephone number, to the company or organization from which it received
9 the list.

10 (3) No commercial telephone solicitor or salesperson may make or
11 cause to be made any unsolicited telephone call to a residential,
12 mobile, or telephonic paging device telephone number if the number for
13 the telephone appears in the current no sales call list published by
14 the attorney general under the authority of section 1 of this act.

15 (4) The utilities and transportation commission shall by rule
16 ensure that telecommunications companies inform their residential
17 customers of the provisions of this section. The notification may be
18 made by:

19 (a) Annual inserts in the billing statements mailed to residential
20 customers; or

21 (b) Conspicuous publication of the notice in the consumer
22 information pages of local telephone directories.

23 ~~((4))~~ (5) If a sale or an agreement to purchase is completed, the
24 commercial telephone solicitor must inform the purchaser of his or her
25 cancellation rights as enunciated in this chapter, state the
26 registration number issued by the department of licensing, and give the
27 street address of the seller.

28 ~~((5))~~ (6) If, at any time prior to sale or agreement to purchase,
29 the commercial telephone solicitor's registration number is requested
30 by the purchaser, it must be provided.

31 ~~((6))~~ (7) All oral disclosures required by this section shall be
32 made in a clear and intelligible manner.

33 NEW SECTION. Sec. 5. The secretary of state shall submit this act
34 to the people for their adoption and ratification, or rejection, at the
35 next general election to be held in this state, in accordance with RCW
36 43.135.090.

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