

FEB 7 2001
COMMERCE AND REGULATION

HOUSE FILE 206
BY SCHRADER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting certain acts associated with telemarketing
2 sales calls and making a civil penalty applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 206

1 Section 1. NEW SECTION. 476.58 RESTRICTIONS ON USE OF
2 EQUIPMENT USED TO DIAL MULTIPLE TELEPHONE NUMBERS.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "ADAD equipment" means ADAD equipment as defined in
6 section 476.57.

7 b. "Telemarketer" means a person who makes telephonic
8 sales calls.

9 c. "Telephonic sales call" means a call made by a
10 telemarketer to a consumer for any of the following purposes:

11 (1) To solicit a sale of a consumer good or service.

12 (2) To solicit an extension of credit for a consumer good
13 or service.

14 (3) To obtain information that will or may be used for the
15 direct solicitation of a sale of a consumer good or service or
16 an extension of credit for such purpose.

17 2. A telemarketer shall not use ADAD equipment or any
18 similar equipment to make telephonic sales calls where the
19 number of live telemarketers is less than the number of
20 telephonic sales calls dialed by such equipment, and where the
21 number of telemarketers would be insufficient to engage in
22 each of the telephonic sales calls, if all calls made by such
23 equipment resulted in a completed call to each of the
24 telephone numbers dialed.

25 3. A person who violates subsection 2 is subject to a
26 civil penalty in the same manner as provided in section 476.51
27 with regard to a public utility.

28 EXPLANATION

29 This bill provides that a telemarketer shall not use ADAD
30 equipment or any similar equipment to make telephonic sales
31 calls where the number of live telemarketers is less than the
32 number of telephonic sales calls dialed by that equipment, and
33 where the number of telemarketers would be insufficient to
34 engage in the telephonic sales calls if all calls made by that
35 equipment result in a completed call to the numbers dialed.

1 The bill provides that a person who violates the bill is
2 subject to a civil penalty in the same manner as provided in
3 Code section 476.51 with regard to a public utility.
4 Penalties under that Code section range from \$100 to \$10,000.

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