

SUBJECT: Caller ID for telephone solicitors

COMMITTEE: Business and Industry — committee substitute recommended

VOTE: 9 ayes — Brimer, Rhodes, Corte, Dukes, Elkins, Giddings, Janek, Solomons, Woolley
0 nays
0 absent

WITNESSES: For — Victor Alcorta, Direct Marketing Associates
Against — None
On — Laurie Pappas, Public Utility Council

DIGEST: CSHB 2128 would prohibit telephone solicitors from using any method to prevent caller identification information identifying their phone lines from being displayed by a caller ID device. Telephone solicitors would have to remove per-line, per-call, or any other type of information-blocking devices from each line used for consumer phone calls no later than January 1, 1998.
The bill would take effect September 1, 1997.

SUPPORTERS SAY: CSHB 2128 would offer protection to Texas consumers who want to avoid unwanted telephone solicitations. Although many persons enjoy the call-screening capabilities offered by caller identification services, they cannot realize the full benefit of those services because of the clever evasion techniques practiced by telephone solicitors. Through the use of per-call and per-line blocking devices, telephone solicitation companies can intentionally prevent the transmission of caller identification information to a called party. This capability thwarts the purpose for which many consumers subscribe to identification services. Cold call solicitations have become the aural equivalent of junk mail. Consumers can stop junk mail from being delivered to their houses, but currently they have no protection against telephone solicitors who hide their identity from screening equipment.

CSHB 2128 would not place any harmful restrictions upon the ability of telephone solicitors to contact anyone via telephone, or to offer their products for sale in the consumer marketplace. It would simply require that these operations take no active or aggressive measures to prevent consumers whom they contact via telephone from receiving relevant information specifying exactly who is making the sales call, or to provide the business name of the caller to the consumer. No reputable telemarketer should have problems with these consumer protections.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The committee substitute would prohibit telemarketers from using any method of blocking their identity from caller ID devices, while the original version of the bill would have prevented telecommunications utility services from offering any blocking capability to telemarketers.

The companion bill, SB 1259 by Barrientos, has been referred to the Senate Economic Development Committee.