

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1915
By: Sibley
Economic Development
4-17-97
Committee Report (Substituted)

DIGEST

Currently, telephone solicitors have the ability to block their identity on caller identification devices. Telephone solicitors also use automated dial announcing devices for random number dialing that delivers prerecorded messages to consumers. Telephone solicitations may be inconvenient for some consumers who have no interest in direct marketing efforts. These same solicitations may be of value and convenience to other consumers who do have an interest in their direct marketing efforts. This bill would require telephone solicitors, based in Texas, to reveal on caller identification devices that they are a telephone solicitor and would provide that solicitors using an automated dial announcing device would be prohibited from using a message any longer than 30 seconds in length. Additionally, this bill would authorize the Public Utility Commission of Texas (commission) to distribute funds from the Universal Service Fund regardless of whether the area in need was rural or urban. Finally, this bill would authorize the commission to recoup the cost of an electronic access system through a fee on users of the system.

PURPOSE

As proposed, C.S.S.B. 1915 requires telephone solicitors, based in Texas, to reveal on caller identification devices that they are a telephone solicitor. This bill prohibits solicitors using an automated dial announcing device from using a message any longer than 30 seconds in length. This bill authorizes the Public Utility Commission of Texas (commission) to distribute funds from the Universal Service Fund regardless of whether the area in need was rural or urban. This bill would authorize the commission to recoup the cost of an electronic access system through a fee on users of the system.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1.034 (Public Utility Regulatory Act of 1995), Article 1446c-0, V.T.C.S., to authorize the Public Utility Commission of Texas (commission) to establish a system to provide electronic access to information that is stored in computer banks. Sets forth the requirements of the system.

SECTION 2. Amends 3.302, Article 1446c-0, V.T.C.S., to prohibit a telephone solicitor from using any method that prevents caller identification information for the telephone solicitor's lines. Defines "telephone solicitor" and "consumer telephone call." Requires a telephone solicitor to remove per-line blocking and any other method prohibited in Subsection (e), no later than January 1, 1998. Provides that this subsection expires January 31, 1998. Makes conforming changes.

SECTION 3. Amends Section 3.606, Article 1446c-0, V.T.C.S., to authorize grants and loans awarded in accordance with this section to public school collaboratives to be disbursed through regional education service centers on request of the public school participating in the collaborative.

SECTION 4. Amends Section 3.608, Article 1446c-0, V.T.C.S., to delete the term "rural" to allow Universal Service Fund assistance to local exchange companies providing service in all high cost areas.

SECTION 5. Amends Section 3.653(a), Article 1446c-0, V.T.C.S., to prohibit a person from operating an ADAD for certain uses unless the device has a message shorter than 30 seconds. Makes a conforming change.

SECTION 6. Amends Section 3.656(e), Article 1446c-0, V.T.C.S., to require certain proceeds to be used by the commission to enforce this subtitle.

SECTION 7. Amends Subtitle O, Article 1446c-0, V.T.C.S., by adding Section 3.661, as follows:

Sec. 3.661. Requires the commission to conduct an educational program, and sets forth requirements of the program.

SECTION 8. Effective date: September 1, 1997.

SECTION 9. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Deletes proposed SECTION 2. Amends 3.302, Article 1446c-0, V.T.C.S., to prohibit a telephone solicitor from using any method that prevents caller identification information for the telephone solicitor's lines. Defines "telephone solicitor" and "consumer telephone call." Requires a telephone solicitor to remove per-line blocking and any other method prohibited in Subsection (e), no later than January 1, 1998. Makes conforming changes.

SECTION 3.

Deletes proposed SECTION 3. Amends Section 3.606, Article 1446c-0, V.T.C.S., to authorize grants and loans awarded in accordance with this section to public school collaboratives to be disbursed through regional education service centers on request of the public school participating in the collaborative.

SECTION 4.

Deletes proposed Section 3.608(g), Article 1446c-0, V.T.C.S., and redesignates proposed SECTION 5 as SECTION 4.

SECTION 5.

Amends Section 3.653(a), Article 1446c-0, V.T.C.S., to prohibit a person from operating a ADAD for certain uses unless the device has a message shorter than 30 seconds. Makes a conforming change.

SECTION 6.

Amends Section 3.656(e), Article 1446c-0, V.T.C.S., to require certain proceeds to be used by the commission to enforce this subtitle.

SECTION 7.

Amends Subtitle O, Article 1446c-0, V.T.C.S., by adding Section 3.661, to set forth requirements of an educational program.

SECTION 8.

Provides for an effective date.

SECTION 9.

Provides for an emergency clause and effective date.