

BILL ANALYSIS

C.S.H.B. 143
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Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, there are federal but no state provisions to address the problem of unsolicited messages reaching a consumer straight to wireless devices, such as cell phones or two-way pagers. This offers further safeguards for Texans, should federal law change.

C.S.H.B. 143 would include unsolicited telemarketing text, graphic or picture messages sent by solicitors to mobile devices on the Texas no-call List.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 143 amends the Business & Commerce Code to require the Public Utility Commission of Texas to include on its Internet website a notice explaining the application of the Texas no-call list to a call or other transmission, including a transmission of a text or graphic message or of an image, to a mobile telephone number. This bill redefines "telephone call."

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 143 differs from the original by exempting from the definition of "telephone call" a transmission made to a mobile telephone number as part of an ad-based telephone service, in connection with which the telephone service customer has agreed with the service provider to receive the transmission.