

1-1 By: Deshotel (Senate Sponsor - Carona) H.B. No. 143
1-2 (In the Senate - Received from the House March 21, 2007;
1-3 March 29, 2007, read first time and referred to Committee on
1-4 Business and Commerce; May 2, 2007, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 2, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to application of the Texas no-call list to certain
1-9 transmissions to a mobile telephone number.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 44.002(9), Business & Commerce Code, is
1-12 amended to read as follows:

1-13 (9) "Telephone call" means a call or other
1-14 transmission which is made to or received at a telephone number,
1-15 including:

1-16 (A) a call made by an automated telephone dialing
1-17 system;

1-18 (B) a transmission to a facsimile recording
1-19 device; and

1-20 (C) a call or other transmission, including a
1-21 transmission of a text or graphic message or of an image, to a
1-22 mobile telephone number serviced by a provider of commercial mobile
1-23 service, as defined by Section 332(d), Communications Act of 1934
1-24 (47 U.S.C. Section 151 et seq.), as amended, Federal Communications
1-25 Commission rules, and the Omnibus Budget Reconciliation Act of 1993
1-26 (Pub. L. No. 103-66), as amended, except that the term does not
1-27 include a transmission made to a mobile telephone number as part of
1-28 an ad-based telephone service, in connection with which the
1-29 telephone service customer has agreed with the service provider to
1-30 receive the transmission.

1-31 SECTION 2. Section 44.103, Business & Commerce Code, is
1-32 amended by adding Subsection (c) to read as follows:

1-33 (c) The commission shall include on its Internet website a
1-34 notice explaining the application of the Texas no-call list to a
1-35 call or other transmission, including a transmission of a text or
1-36 graphic message or of an image, to a mobile telephone number.

1-37 SECTION 3. This Act takes effect September 1, 2007.

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