

By: Davis of Harris

H.B. No. 3476

A BILL TO BE ENTITLED

AN ACT

relating to information used for telephone solicitations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 302.001, Business & Commerce Code, as effective April 1, 2009, is amended by adding Subdivisions (1-a) and (8) to read as follows:

(1-a) "List owner" means a person who possesses a proprietary interest in a telephone solicitation list.

(8) "Telephone solicitation list" means a collection of telephone numbers or telephone numbers in combination with names or addresses that are used to make telephone solicitations.

SECTION 2. Subchapter A, Chapter 302, Business & Commerce Code, as effective April 1, 2009, is amended by adding Section 302.005 to read as follows:

Sec. 302.005. SOLICITATION LIST; PROPRIETARY INFORMATION. A telephone solicitation list provided to a third party in connection with a telephone solicitation that is to be initiated by the third party on the list owner's behalf is the proprietary and confidential information of the list owner. The third party may not disclose, duplicate, reuse, sell, transfer, or otherwise reproduce or retain the telephone solicitation list in any form.

SECTION 3. The change in law made by this Act applies to a telephone solicitation list provided to a third party without regard to whether the list is provided before, on, or after the

1 effective date of this Act.

2 SECTION 4. This Act takes effect September 1, 2009.