

By: England

H.B. No. 3525

A BILL TO BE ENTITLED

AN ACT

relating to telephone solicitations for certain law enforcement-related charitable organizations.

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

SECTION 1. Subchapter C, Chapter 303, Business & Commerce Code, as effective April 1, 2009, is amended by adding Sections 303.105-303.107 to read as follows:

Sec. 303.105. REQUIRED DISCLOSURES. A commercial telephone solicitor may not make a telephone solicitation call unless the solicitor makes the following disclosures during the call using substantially the following language:

(1) "You will not receive any preferential treatment by any law enforcement officer or organization if you make a contribution"; and

(2) "It is a criminal act for any law enforcement officer to provide you with preferential treatment because you have made a contribution."

Sec. 303.106. RECORDING OF CALLS. A commercial telephone solicitor shall:

(1) record each telephone solicitation call and retain the recording until the 31st day after the date the call was recorded; and

(2) allow the attorney general access to the recording for review at the attorney general's discretion.

1 Sec. 303.107. USE OF MONEY FOR NONCHARITABLE PURPOSE. A law
2 enforcement-related charitable organization that uses any of the
3 money it receives through telephone solicitation for a
4 noncharitable purpose must ensure that any commercial telephone
5 solicitor that it retains to make telephone solicitations complies
6 with the Texas no-call list established under Subchapter B, Chapter
7 304.

8 SECTION 2. The changes in law made by this Act apply only to
9 a telephone solicitation made on or after the effective date of this
10 Act.

11 SECTION 3. This Act takes effect September 1, 2009.