

AN ACT

relating to automated dial announcing devices.

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

SECTION 1. Section 55.121, Utilities Code, is amended to read as follows:

Sec. 55.121. DEFINITIONS [~~DEFINITION~~]. In this subchapter:

(1) "Automated" [~~"automated"~~] dial announcing device" means automated equipment used for telephone solicitation or collection that can:

(A) [~~(1)~~] store telephone numbers to be called or produce numbers to be called through use of a random or sequential number generator; and

(B) [~~(2)~~] convey, alone or in conjunction with other equipment, a prerecorded or synthesized voice message to the number called without the use of a live operator.

(2) "Telephone solicitation" means an unsolicited call.

SECTION 2. Section 55.122, Utilities Code, is amended to read as follows:

Sec. 55.122. EXEMPTIONS. This subchapter does not apply to the use of an automated dial announcing device:

(1) to make a call relating to an emergency or a public service under a program developed or approved by the emergency management coordinator of the county in which the call is received;

1 [~~or~~]

2 (2) by a public or private primary or secondary school
3 system to locate or account for a truant student;

4 (3) by a municipality or a person calling on behalf of
5 a municipality to deliver information to citizens of the
6 municipality regarding a public health, safety, or welfare issue;
7 or

8 (4) by an organization to a member of the
9 organization.

10 SECTION 3. Subchapter F, Chapter 55, Utilities Code, is
11 amended by adding Section 55.1225 to read as follows:

12 Sec. 55.1225. APPLICABILITY. This subchapter applies to an
13 automated dial announcing device used to make a telephone call that
14 originates or terminates in this state.

15 SECTION 4. This Act takes effect September 1, 2013.

S.B. No. 1040

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1040 passed the Senate on May 8, 2013, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1040 passed the House on May 22, 2013, by the following vote: Yeas 146, Nays 2, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor