

By: Taylor
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S.B. No. 1040

A BILL TO BE ENTITLED

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.