

SECOND REGULAR SESSION

HOUSE BILL NO. 1804

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KRATKY.

Read 1st time February 16, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5102L.01I

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to selling telephone and cellular phone records without consent.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.1115, to read as follows:

- 407.1115. 1. No provider of telecommunications service or a mobile telecommunications service, or their affiliates, shall directly or indirectly provide or sell the customer's name and telephone number without first obtaining the express consent of the customer. The express consent requirement shall be met if the customer signs and dates a document expressing such consent. The consent shall be unambiguous, legible, and conspicuously disclose that, by signing such document, the customer is consenting to have his or her number sold or licensed as part of a list of customers.**
- 2. A customer who provides express prior consent under subsection 1 of this section may revoke his or her consent at any time.**
- 3. This section shall not apply for the following parties for the purposes indicated:**
- (1) To a collection agency exclusively for the collection of unpaid debts;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 12 **(2) To any law enforcement agency, fire protection agency, public health agency,**
13 **or public environment health agency, for the exclusive purpose of responding to a 911 call**
14 **or communicating an imminent threat to life or property; or**
15 **(3) To a lawful process issued under state or federal law.**

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