

SECOND REGULAR SESSION

# HOUSE BILL NO. 2116

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PORTER.

4677H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the caller id anti-spoofing act, with penalty provisions.

*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. This section shall be known and may be cited as the "Caller ID Anti-Spoofing Act".**

**2. As used in this section, the following terms mean:**

**(1) "Call", any telephone call, facsimile, or text made using a public switched telephone network, wireless cellular telephone service, or voice-over-internet protocol (VoIP) service that has the capability of accessing users on the public switched telephone network or a successor network;**

**(2) "Caller", a person or entity who places a call, facsimile, or text message, whether by phone or computer;**

**(3) "Caller identification information", information provided by a caller identification service regarding the telephone number or other origination information of a call or facsimile transmission made using a telecommunications service or an interconnected VoIP service or of a text message sent using a text-messaging service;**

**(4) "Caller identification service", any service or device designed to provide the user of the service or device with the telephone number or other origination information of a call or facsimile transmission made using a telecommunications service or an**

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.

17 interconnected VoIP service or of a text message sent using a text messaging service.

18 "Caller identification service" includes automatic number identification services.

19 3. A caller commits the offense of caller identification spoofing if the caller:

20 (1) Enters or causes to be entered false information into a caller identification  
21 service with the intent to deceive, defraud, or mislead the recipient of a call; or

22 (2) Places a call knowing that false information was entered into the caller  
23 identification service with the intent to deceive, defraud, or mislead the recipient of the call.

24 4. The offense of unlawful caller identification spoofing shall be a class A  
25 misdemeanor.

26 5. This section shall not apply to:

27 (1) The blocking of caller identification information;

28 (2) Any law enforcement agency of the federal, state, county, or municipal  
29 government;

30 (3) Any intelligence or security agency of the federal government; or

31 (4) A telecommunications, broadband, or voice-over- internet service provider that  
32 is acting solely as an intermediary for the transmission of telephone service between the  
33 caller and the recipient.

34 6. The recipient of any call in which the caller uses false caller identification  
35 information shall have standing to recover punitive damages against the caller in an  
36 amount determined by the court but not to exceed five thousand dollars per call. Call  
37 recipients may bring action under this section as members of a class. The attorney general  
38 may initiate legal proceedings or intervene in legal proceedings on behalf of call recipients.

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