

**COMMERCIAL CALLS: LIMIT
CALLER ID BLOCKING**

House Bill 5387

Sponsor: Rep. Penny Crissman

Committee: Public Utilities

Complete to 1-23-98

A SUMMARY OF HOUSE BILL 5387 AS INTRODUCED 12-2-97

The bill would amend Public Act 206 of 1913, an act to regulate telephone business and use of telephone lines and equipment, to generally prohibit an in-state commercial caller from blocking caller identification during the delivery or attempted delivery of a commercial message. The prohibition would apply only to calls that originated and were delivered in this state. Further, blocking caller identification would be allowed where the commercial call was made between the hours of 9 a.m. and 12 noon; or where the recipient had knowingly and voluntarily either requested, consented, or otherwise permitted the contact from the caller, or had provided his or her number to the caller.

The bill would apply the same penalties to callers who violated the prohibition against blocking caller identification technology as are currently applied to callers who violate the act by using recorded commercial telephone messages without the request or permission of the recipient. A violation would be a misdemeanor punishable by either imprisonment for 10 days, a fine of up to \$1,000, or both. The act also currently allows the recipient of a prohibited recorded commercial message to recover damages of not more than \$250, plus reasonable attorneys' fees. The bill would increase amount of damages that the recipient could recover to \$1,000 plus reasonable attorneys' fees and allow this amount to be recovered by individuals who received either recorded commercial messages or had their caller identification blocked in violation of the act's provisions.

MCL 484.125

Analyst: W. Flory

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