

By: Representative Cockerham

To: Public Utilities

## HOUSE BILL NO. 872

1 AN ACT TO CREATE THE "CALLER ID ANTI-SPOOFING ACT"; TO  
2 PROHIBIT ENTERING OR CAUSING TO BE ENTERED FALSE INFORMATION INTO  
3 A TELEPHONE CALLER IDENTIFICATION SYSTEM WITH THE INTENT TO  
4 DECEIVE, DEFRAUD OR MISLEAD; TO PROHIBIT PLACING A CALL KNOWING  
5 THAT FALSE INFORMATION WAS ENTERED INTO THE TELEPHONE CALLER  
6 IDENTIFICATION SYSTEM; TO PROVIDE THAT ANY VIOLATION OF THIS ACT  
7 CONSTITUTES AN UNLAWFUL TRADE PRACTICE UNDER THE STATE CONSUMER  
8 PROTECTION LAWS; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** This act may be cited as the "Caller ID  
11 Anti-Spoofing Act."

12 **SECTION 2.** As used in this act:

13 (a) "Call" means any type of telephone call made using  
14 a public switched telephone network, wireless cellular telephone  
15 service, or Voice-Over-Internet Protocol (VOIP) service that has  
16 the capability of accessing users on the public switched telephone  
17 network or a successor network.

18 (b) "Caller" means a person who places a call, whether  
19 by telephone, over a telephone line, or on a computer.

20 (c) "Enter" means to input data by whatever means into  
21 a computer or telephone system.

22 (d) "False information" means data that misrepresents  
23 the identity of the caller to the recipient of a call or to the  
24 network itself; however, when a person making an authorized call  
25 on behalf of another person inserts the name, telephone number or  
26 name and telephone number of the person on whose behalf the call  
27 is being made, such information shall not be deemed false  
28 information.



29 (e) "Telephone caller identification system" means a  
30 listing of a caller's name, telephone number, or name and  
31 telephone number that is shown to a recipient of a call when it is  
32 received.

33 **SECTION 3.** (1) A person may not enter or cause to be  
34 entered false information into a telephone caller identification  
35 system with the intent to deceive, defraud or mislead the  
36 recipient of a call.

37 (2) A person may not place a call knowing that false  
38 information was entered into the telephone caller identification  
39 system with the intent to deceive, defraud or mislead the  
40 recipient of the call.

41 **SECTION 4.** This act does not apply to:

42 (a) The blocking of caller identification information.

43 (b) Any law enforcement agency of the federal, state,  
44 county or municipal government.

45 (c) Any intelligence or security agency of the federal  
46 government.

47 (d) A telecommunications, broadband or  
48 voice-over-Internet service provider that is acting solely as an  
49 intermediary for the transmission of telephone service between the  
50 caller and the recipient.

51 **SECTION 5.** (1) Any person who violates this act shall be  
52 guilty of a misdemeanor and, upon conviction thereof, shall be  
53 subject to a fine of not more than One Thousand Dollars  
54 (\$1,000.00) or shall be imprisoned in the county jail not  
55 exceeding one (1) year, or both.

56 (2) Any violation of this act constitutes an unlawful trade  
57 practice under Section 75-24-5 and, in addition to any remedies or  
58 penalties set forth in this act, shall be subject to any remedies  
59 or penalties available for a violation of that statute.

60 **SECTION 6.** This act shall take effect and be in force from  
61 and after July 1, 2010.

