

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2744**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

7           **SECTION 1.** Section 77-3-707, Mississippi Code of 1972, is  
8 amended as follows:

9           77-3-707. (1) Except as otherwise provided pursuant to  
10 Section 77-3-709 or 77-3-711, a telephone solicitor may not make  
11 or cause to be made any telephone solicitation to any consumer in  
12 this state unless the telephone solicitor has purchased the  
13 "no-calls" database from the commission or the entity under  
14 contract with the commission.

15           (2) Except as otherwise provided pursuant to Section  
16 77-3-709 or 77-3-711, a telephone solicitor may not make or cause



17 to be made any telephone solicitation to any consumer in this  
18 state who has given notice to the commission, or the entity under  
19 contract with the commission, of his or her objection to receiving  
20 telephone solicitations.

21 (3) The commission, or an entity under contract with the  
22 commission, shall establish and operate a "no-calls" database  
23 composed of a list of telephone numbers of consumers who have  
24 given notice of their objection to receiving telephone  
25 solicitations. The "no-calls" database may be operated by the  
26 commission or by another entity under contract with the  
27 commission.

28 (4) Each local exchange company and each competing local  
29 exchange carrier shall provide written notification on a  
30 semiannual basis to each of its consumers of the opportunity to  
31 provide notification to the commission or the entity under  
32 contract with the commission, that the consumer objects to  
33 receiving telephone solicitations. The notification must be  
34 disseminated at the option of the carrier, by television, radio or  
35 newspaper advertisements, written correspondence, bill inserts or  
36 messages, a publication in the consumer information pages of the  
37 local telephone directory, or any other method not expressly  
38 prohibited by the commission.

39 (5) A telephone solicitor may not violate the Caller ID  
40 Anti-Spoofing Act in Section 77-3-801 et seq., and if in violation  
41 of such act, shall be in violation of the Mississippi Telephone



42 Solicitation Act. In addition to any remedies or penalties  
43 otherwise set forth under law, such telephone solicitor shall be  
44 subject to any remedies or penalties available for a violation of  
45 this act.

46 **SECTION 2.** Section 77-3-809, Mississippi Code of 1972, is  
47 amended as follows:

48 77-3-809. (1) Any person who violates this article shall be  
49 guilty of a misdemeanor and, upon conviction thereof, shall be  
50 subject to a fine of not more than One Thousand Dollars  
51 (\$1,000.00) or shall be imprisoned in the county jail not  
52 exceeding one (1) year, or both.

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

58 (3) Any violation of this article constitutes a violation of  
59 the Mississippi Telephone Solicitation Act in Section 77-3-701 et  
60 seq., and in addition to any remedies or penalties set forth in  
61 this article, shall be subject to any remedies or penalties  
62 available for a violation of that act.

63 **SECTION 3.** This act shall take effect and be in force from  
64 and after July 1, 2019.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**



1 AN ACT TO AMEND SECTIONS 77-3-707 AND 77-3-809, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT A VIOLATION OF THE CALLER ID  
3 ANTI-SPOOFING ACT IS A VIOLATION OF THE MISSISSIPPI TELEPHONE  
4 SOLICITATION ACT, WHICH SHALL BE IN ADDITION TO ANY OTHER REMEDIES  
5 AND PENALTIES AVAILABLE UNDER THE LAW; AND FOR RELATED PURPOSES.

