



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 234
[2013 Senate Bill 155]

Telephone Solicitation
“Do-Not-Call” List

Do-not-call laws exist under both state and federal law, administered by the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Federal Trade Commission (FTC), respectively. Under both laws, persons who do not wish to receive telephone solicitations may have their telephone numbers placed on a list (called a directory in the state program and a registry in the federal program). With certain exceptions, telephone solicitors are prohibited from calling telephone numbers on the registry.

2013 Act 234 eliminates the Wisconsin do-not-call directory and instead applies the prohibitions under current state law to telephone numbers in the “state do-not-call registry,” which is the portion of the federal registry that consists of telephone numbers with Wisconsin area codes. The Act authorizes DATCP to cooperate with the FTC to add numbers from the current Wisconsin directory to the federal registry. The Act does not change the specific prohibitions applicable to telephone solicitations under prior law.

Prior law required solicitors to register with DATCP and pay specified fees for the use of the directory, to be used by DATCP for establishing and maintaining the directory. The Act specifies that fee revenues are for the administration and enforcement of the do-not-call law and for consumer protection, information, and education. It allows DATCP to establish a basis for the initial registration fee other than the number of lines used by the solicitor. The Act requires that DATCP rules require a solicitor to provide proof that the solicitor has obtained the state do-not-call registry from the FTC in compliance with federal law, and prohibits the possession or use of a copy of that registry obtained in violation of federal law.

Effective date: August 1, 2014.

Prepared by: David L. Lovell, Principal Analyst

April 16, 2014

DLL;jb;ty

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.