

2003 DRAFTING REQUEST

Bill

Received: 02/19/2004

Received By: mglass

Wanted: As time permits

Identical to LRB:

For: David Hansen (608) 266-5670

By/Representing: Eric Genrich

This file may be shown to any legislator: NO

Drafter: mglass

May Contact:

Addl. Drafters:

Subject: Trade Regulation - electron com

Extra Copies:

Submit via email: YES

Requester's email: Sen.Hansen@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Disclosure of physical location of call centers where persons answer service and sales calls from customers

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							S&L
/1	mglass 02/26/2004	kgilfoy 02/26/2004	pgreensl 02/27/2004		sbasford 02/27/2004	mbarman 03/08/2004	

FE Sent For:

AA Intro.

<END>

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/?	mglass	1-2/26 KMG	2/1 P8	2/21 P8	2/21 P8		

FE Sent For:

<END>

Gibson-Glass, Mary

From: Gibson-Glass, Mary
Sent: Thursday, February 19, 2004 10:41 AM
To: Genrich, Eric
Subject: RE: draft request

Eric:

I am entering a request for this legislation with me as the drafter. However, please realize that due to the lateness in the session, and the fact that substitute amendment and amendments to existing bills, along with bills that have been previously requested but that have not been drafted, take precedence, this bill may not be prepared in time for passage this session.

If you feel that this legislation should receive higher priority, please call me to discuss this.

Thanks,

Mary Gibson-Glass
Senior Legislative Attorney
Legislative Reference Bureau
608 267 3215

-----Original Message-----

From: Genrich, Eric
Sent: Tuesday, February 17, 2004 1:46 PM
To: Gibson-Glass, Mary
Subject: draft request

Hi Mary,

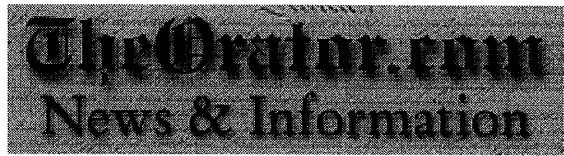
I'm not sure if this is your drafting area. If it's not please accept my apologies.

Sen. Hansen would like a bill of this sort drafted on the state level. Please e-mail me with any questions. Thanks.

<http://www.theorator.com/bills108/s1873.html>

-Eric

Office of Sen. Hansen



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108th CONGRESS
1st Session

S. 1873

To require employees at a call center who either initiate or receive telephone calls to disclose the physical location of such employees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

November 17, 2003

Mr. DASCHLE (for Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require employees at a call center who either initiate or receive telephone calls to disclose the physical location of such employees, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Call Center Consumer's Right to Know Act of 2003'.

SEC. 2. CALL CENTER REQUIREMENTS.

(a) IN GENERAL- A United States corporation or its subsidiaries that utilizes a call center to initiate telephone calls to, or receive telephone calls from, individuals located in the United States, shall require each employee in the call center to disclose the physical location of such employee at the beginning of each telephone call so initiated or received.

(b) CERTIFICATION REQUIREMENT- A corporation or subsidiary described in subsection (a)

shall annually certify to the Federal Trade Commission whether or not the corporation or subsidiary, and the employees of the corporation or subsidiary at its call centers, have complied with that subsection.

(c) NONCOMPLIANCE- A corporation or subsidiary that violates subsection (a) shall be subject to such civil penalties as the Federal Trade Commission prescribes under section 3.

(d) CALL CENTER DEFINED- In this section, the term `call center' means a location that provides customer-based service and sales assistance or technical assistance and expertise to individuals located in the United States via telephone, the Internet, or other telecommunications and information technology.

SEC. 3. FEDERAL TRADE COMMISSION RULES.

Not later than 9 months after the date of enactment of this Act, the Federal Trade Commission shall prescribe rules to provide for effective monitoring and compliance with this Act. The Federal Trade Commission's rulemaking shall include appropriate civil penalties for noncompliance with this Act.

END



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-4306A

MGG:.....

1 RMR

Mon noon

KMG

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

① AN ACT ^{Gen. Cat.} relating to: disclosure of the geographical locations of call centers ^{and} ~~and~~ granting rule-making authority, and providing a penalty ²

Analysis by the Legislative Reference Bureau

This bill requires that call centers ~~they~~ not make or receive telephone calls that relate to customer-based services without disclosing the geographical location of the call center at the beginning of each telephone call. The bill defines customer-based service as being sales or technical assistance or expertise concerning a product or service that is provided to a purchaser or prospective purchaser of the product or service. The bill also requires a call center to submit an annual report to the Department of Agriculture, Trade and Consumer Protection on the procedures used by the call center to ensure compliance with this disclosure requirement.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 100.53 of the statutes is created to read:
4 **100.53 Disclosure of location of call centers.** (1) DEFINITIONS. In this
5 section:

1 (a) "Call center" means a business that engages in providing ✓ customer-based
2 service.

3 (b) "Customer-based service" means sales or technical assistance or expertise
4 concerning a product or service that ^{is} provided to a [✓] purchaser or a prospective
5 purchaser of the product or service.

6 (2) PROHIBITION. No call center may make ✓ or receive telephone calls that relate
7 to providing customer-based services to residents in this state without ✓ disclosing
8 the geographical location of the call center at the beginning of each telephone call.

9 (3) ANNUAL REPORT; MONITORING. (a) ~~each call center~~ ^{Annually} each call center shall
10 submit to the department a report that describes the procedures ^{that} the call center
11 implements to ensure compliance with sub. (2).

12 (b) The department shall promulgate rules to establish procedures for
13 monitoring compliance with sub. (2).

14 (4) REMEDIES AND PENALTIES. (a) The department of justice, after consulting
15 with the department of agriculture, trade and consumer protection, or any district
16 attorney upon informing the department of agriculture, trade and consumer
17 protection, may commence an action in the name of the state to restrain by temporary
18 or permanent injunction a violation of sub. (2).

19 (b) The department or any district attorney may commence an action in the
20 name of the state to recover a forfeiture to the state of not less than \$25 ~~2000~~ ¹⁰⁰ more
21 than \$1,000 for each violation of sub. (2).

22 (END)

SEC. # (9) (#)
Effective date. This ^{act} ~~bill~~ takes effect on the
first day of the 10th month beginning
after publication.

100

Barman, Mike

From: Genrich, Eric
Sent: Monday, March 08, 2004 8:43 AM
To: LRB.Legal
Subject: Draft review: LRB 03-4306/1 Topic: Disclosure of physical location of call centers where persons answer service and sales calls from customers

It has been requested by <Genrich, Eric> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-4306/1 Topic: Disclosure of physical location of call centers where persons answer service and sales calls from customers