

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/02/2008**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing: **Terri Zimmerman**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Black@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Prohibit autodialer calls

---

**Instructions:**

Redraft 2007 AB 311

---

**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>
/?	csundber 09/08/2008	jdyer 09/12/2008		_____			State
/1	csundber 03/10/2009	jdyer 03/10/2009	rschluet 09/15/2008	_____	lparisi 09/15/2008		State
/2			phenry 03/10/2009	_____	lparisi 03/10/2009	lparisi 03/11/2009	

FE Sent For:

<END>

↳ At  
Intro.

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/02/2008**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing: **Terri Zimmerman**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Black@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Prohibit autodialer calls

---

**Instructions:**

Redraft 2007 AB 311

---

**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>
/?	csundber 09/08/2008	jdyer 09/12/2008		_____			State
/1	csundber 03/10/2009	jdyer 03/10/2009	rschluet 09/15/2008	_____	lparisi 09/15/2008		State
/2			phenry 03/10/2009	_____	lparisi 03/10/2009		

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/02/2008**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing: **Terri Zimmerman**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Black@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Prohibit autodialer calls

---

**Instructions:**

Redraft 2007 AB 311

---

**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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	csundber 09/08/2008	jdyer 09/12/2008		_____			State
----	------------------------	---------------------	--	-------	--	--	-------

/1		<sup>1/2</sup> <sup>3/10</sup> jld	rschluet 09/15/2008	_____	<sup>3/10</sup> lparisi 09/15/2008		
----	--	------------------------------------	------------------------	-------	---------------------------------------	--	--

FE Sent For:

*3/10/08*  
*kh/MB*  
<END>

2009 DRAFTING REQUEST

Bill

Received: 09/02/2008

Received By: csundber

Wanted: As time permits

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: Terri Zimmerman

This file may be shown to any legislator: NO

Drafter: csundber

May Contact:

Addl. Drafters:

Subject: Trade Regulation - other

Extra Copies:

Submit via email: YES

Requester's email: Rep.Black@legis.wisconsin.gov

Carbon copy (CC:) to: christopher.sundberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit autodialer calls

Instructions:

Redraft 2007 AB 311

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>
/?	csundber	1 9/12 jld					

FE Sent For:

<END>

**Sundberg, Christopher**

---

**From:** Zimmerman, Terri  
**Sent:** Monday, July 21, 2008 1:27 PM  
**To:** Sundberg, Christopher  
**Subject:** Redraft of 2007 Assembly Bill 311

Christopher,

Spence would like 2007 AB 311 redrafted for the 2009 legislative session. AB 311 relates to: the use of automatic dialing devices.

Terri Zimmerman  
Rep. Spencer Black's office  
266-7521

In: 9/9/09

9 10  
2007 - 2008 LEGISLATURE

0026/1  
LRB-0682/2  
CTS:vljrs

ald

9  
**2007 ASSEMBLY BILL 311**

May 8, 2007 - Introduced by Representatives BLACK, BENEDICT, SOLETSKI, BERCEAU, A. WILLIAMS, KAUFERT and MOLEPSKE, cosponsored by Senators CARPENTER and HAKSDORF. Referred to Committee on Judiciary and Ethics.

Gen

- 1 AN ACT *to create* 100.523 of the statutes; **relating to:** the use of automatic
- 2 dialing announcing devices and providing a penalty.

***Analysis by the Legislative Reference Bureau***

\* This bill regulates the use of automatic dialing announcing devices. The bill defines an automatic dialing announcing device as a device that dials a telephone number and disseminates, alone or in conjunction with another device, a voice message. \*

Under the bill, the use of an automatic dialing announcing device to call a residential telephone customer is prohibited unless the recipient has consented in writing or the person using the device obtains the customer's verbal consent using a live operator before disseminating the message. An automatic dialing announcing device must disconnect within ten seconds after a recipient terminates a call. The provisions of the bill do not apply to a call by a school to students, parents, or employees; to a call to a residential customer by a person who has a current business or personal relationship with the customer; or to a call by a governmental unit to alert the recipient to a danger to health or safety.

For further information see the *state* 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:***



## ASSEMBLY BILL 311

1           SECTION 1. 100.523 of the statutes is created to read:

2           **100.523 Automatic dialing announcing devices.** (1) In this section:

3           (a) "Automatic dialing announcing device" means a device that does all of the  
4 following:

5           1. Dials a telephone number.

6           2. Disseminates, whether alone or in conjunction with another device, a  
7 prerecorded or synthesized voice message.

8           (b) "Governmental unit" means an agency of this state or of a city, village, town,  
9 or county.

10          (c) "Residential customer" has the meaning given in s. 100.52 (1) (f).

11          (2) No person may use an automatic dialing announcing device to call a  
12 telephone number pertaining to a residential customer in this state unless all of the  
13 following apply:

14          (a) One of the following is true:

15           1. Before the person uses the device to call the telephone number, the person  
16 has obtained the residential customer's written authorization to call the customer  
17 using an automatic dialing announcing device.

18           2. Before the person uses the device to disseminate a voice message, a live  
19 operator has done all of the following:

20           a. Immediately disclosed the name of the person on whose behalf the customer  
21 has been called and the purpose of the call, including whether the call is intended to  
22 solicit funds.

23           b. Obtained the residential customer's verbal consent to receive a voice  
24 message from an automatic dialing announcing device.

**ASSEMBLY BILL 311**

1           (b) The automatic dialing announcing device<sup>✓</sup> is designed and operated to  
2           disconnect not more than 10<sup>✓</sup> seconds after a recipient terminates the connection.

3           **(3)** This section<sup>✓</sup> does not apply to any of the following:

4           (a) A call by a school or school district to a student, parent of a student, or an  
5           employee.<sup>✓</sup>

6           (b) A call to a residential customer initiated by a person who has a current  
7           business or personal relationship with the customer.<sup>✓</sup>

8           (c) A call by a governmental unit that is intended to alert a recipient of the call  
9           to a danger to the recipient's health or safety.<sup>✓</sup>

10          **(4)** A person who violates this section may be required to forfeit<sup>✓</sup> \$100 for each  
11          violation.

12

(END)

3/a Spencer Black

Redraft LRB 0026/1: add exception for  
calls from an organization to a member  
of the organization



In: 3/10/2009 Wanted: soon  
State of Wisconsin  
2009 - 2010 LEGISLATURE

2  
LRB-0026/K  
CTS:jld:rs  
RmW/2

2009 BILL

✓

Regen

1 AN ACT to create 100.523 of the statutes; relating to: the use of automatic  
2 dialing announcing devices and providing a penalty.

*Analysis by the Legislative Reference Bureau*

This bill regulates the use of automatic dialing announcing devices. The bill defines an "automatic dialing announcing device" as a device that dials a telephone number and disseminates, alone or in conjunction with another device, a voice message.

Under the bill, the use of an automatic dialing announcing device to call a residential telephone customer is prohibited unless the recipient has consented in writing or the person using the device obtains the customer's verbal consent using a live operator before disseminating the message. An automatic dialing announcing device must disconnect within ten seconds after a recipient terminates a call. The provisions of the bill do not apply to a call by a school to students, parents, or employees; to a call to a residential customer by a person who has a current business or personal relationship with the customer; or to a call by a governmental unit to alert the recipient to a danger to health or safety.

For further information see the *state* 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:*

NO ; or to a call by an organization  
to a member of the organization ✓

**BILL**

1           **SECTION 1.** 100.523<sup>X</sup> of the statutes is created to read:

2           **100.523 Automatic dialing announcing devices. (1)** In this section:

3           (a) "Automatic dialing announcing device" means a device that does all of the  
4 following:

5           1. Dials a telephone number.

6           2. Disseminates, whether alone or in conjunction with another device, a  
7 prerecorded or synthesized voice message.

8           (b) "Governmental unit" means an agency of this state or of a city, village, town,  
9 or county.

10          (c) "Residential customer" has the meaning given in s. 100.52 (1) (f).

11          **(2)** No person may use an automatic dialing announcing device to call a  
12 telephone number pertaining to a residential customer in this state unless all of the  
13 following apply:

14          (a) One of the following is true:

15           1. Before the person uses the device to call the telephone number, the person  
16 has obtained the residential customer's written authorization to call the customer  
17 using an automatic dialing announcing device.

18           2. Before the person uses the device to disseminate a voice message, a live  
19 operator has done all of the following:

20           a. Immediately disclosed the name of the person on whose behalf the customer  
21 has been called and the purpose of the call, including whether the call is intended to  
22 solicit funds.

23           b. Obtained the residential customer's verbal consent to receive a voice  
24 message from an automatic dialing announcing device.

**BILL**

1 (b) The automatic dialing announcing device is designed and operated to  
2 disconnect not more than 10 seconds after a recipient terminates the connection.

3 (3) This section does not apply to any of the following:

4 (a) A call by a school or school district to a student, parent of a student, or an  
5 employee.

6 (b) A call to a residential customer initiated by a person who has a current  
7 business or personal relationship with the customer.

8 (c) A call by a governmental unit that is intended to alert a recipient of the call  
9 to a danger to the recipient's health or safety.

10 (4) A person who violates this section may be required to forfeit \$100 for each  
11 violation.

12 (END)

~~(d)~~ A <sup>c</sup> call by an organization to a member of the organization.

**Parisi, Lori**

---

**From:** Zimmerman, Terri  
**Sent:** Tuesday, March 10, 2009 4:39 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-0026/2 Topic: Prohibit autodialer calls

Please Jacket LRB 09-0026/2 for the ASSEMBLY.