



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB6323

by Rep. Timothy L. Schmitz - Ruth Munson

SYNOPSIS AS INTRODUCED:

815 ILCS 305/10	from Ch. 134, par. 110
815 ILCS 305/15	from Ch. 134, par. 115
815 ILCS 305/20 rep.	

Amends the Automatic Telephone Dialers Act. Prohibits using an autodialer to contact a subscriber in this State by means of a telephone or telephone line except in accordance with the Act. Prohibits using an autodialer to contact a subscriber in this State who has registered with the Illinois Restricted Call Registry. Prohibits using an autodialer unless the subscriber has knowingly requested, consented to, permitted, or authorized receipt of the message or the message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered. Makes exceptions for autodialer calls from: a public safety agency notifying a person of an emergency; a school district to a student, a parent, or an employee; a subscriber with whom the caller has a current business relationship; or an employer advising an employee of a work schedule. Repeals exemptions for specified types of telephone calls. Makes other changes.

LRB095 20491 WGH 48399 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Automatic Telephone Dialers Act is amended
5 by changing Sections 10 and 15 as follows:

6 (815 ILCS 305/10) (from Ch. 134, par. 110)

7 Sec. 10. Jurisdiction. No person may use an autodialer to
8 contact a subscriber ~~shall operate an autodialer~~ in this State
9 by using a telephone or telephone line except in accordance
10 with this Act.

11 (Source: P.A. 87-275.)

12 (815 ILCS 305/15) (from Ch. 134, par. 115)

13 Sec. 15. Method of operation.

14 (a) No person may use an autodialer to contact a subscriber
15 ~~shall operate an autodialer~~ in this State ~~to place a telephone~~
16 ~~call~~ during the hours between 9 p.m. and 9 a.m. No person may
17 use an autodialer to contact a subscriber in this State who has
18 registered with the Illinois Restricted Call Registry.

19 (b) A person may not use or connect to a telephone line an
20 autodialer system unless the subscriber has knowingly
21 requested, consented to, permitted, or authorized receipt of
22 the message or the message is immediately preceded by a live

1 operator who obtains the subscriber's consent before the
2 message is delivered. ~~All autodialers operated within the State~~
3 ~~of Illinois shall disconnect within 30 seconds after~~
4 ~~termination of the call by the subscriber or the autodialer.~~
5 ~~Where disconnection in 30 seconds is technically not feasible,~~
6 ~~the autodialer shall utilize a live operator who shall:~~

7 ~~(1) state his name, the name, address and telephone~~
8 ~~number of the business or organization being represented~~
9 ~~and the purpose of the call; and~~

10 ~~(2) inquire at the beginning of the call whether the~~
11 ~~person called consents to hear the prerecorded message.~~

12 (c) This Section does not apply to a message from: (i) a
13 public safety agency notifying a person of an emergency; (ii) a
14 school district to a student, a parent, or an employee; (iii) a
15 subscriber with whom the caller has a current business
16 relationship; or (iv) an employer advising an employee of a
17 work schedule. ~~An autodialer shall not be used to dial numbers~~
18 ~~determined by successively increasing or decreasing integers.~~

19 ~~(d) An autodialer may not be operated in a manner that~~
20 ~~impedes the function of any caller ID when the telephone~~
21 ~~solicitor's service or equipment is capable of allowing the~~
22 ~~display of the solicitor's telephone number.~~

23 (Source: P.A. 91-182, eff. 1-1-00.)

24 (815 ILCS 305/20 rep.)

25 Section 10. The Automatic Telephone Dialers Act is amended

1 by repealing Section 20.