

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H3/17/97

A Bill

HOUSE BILL 2136

4
5 By: Representative Hendren

For An Act To Be Entitled

9 "AN ACT CONCERNING RESIDENTIAL TELEPHONE SALES AND
10 SOLICITATIONS; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT CONCERNING RESIDENTIAL TELEPHONE
15 SALES AND SOLICITATIONS."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. (a)(1) Any person who on behalf of any charity, business or
20 organization calls a residential phone number for the purpose of soliciting or
21 requesting a contribution or to offer goods or services shall immediately
22 disclose to the person contacted:

23 (A) The callers identity and the identity of the
24 person or organization on whose behalf the telephone call is being made.

25 (B) The purpose of the telephone call including a
26 brief description of the goods or services to be offered.

27 (2) If the person receiving the telephone call indicates
28 that he or she does not want to hear about the charity, goods, or services,
29 the caller shall not attempt to provide additional information during that
30 conversation about the charity, goods, or services.

31 (b) A violation of this section shall be a Class A misdemeanor.

32 (c) A violation of the provisions of this act shall constitute an
33 unfair and deceptive act or practice as defined by the Deceptive Trade
34 Practices Act, § 4-88-101, et seq. All remedies, penalties and authority
35 granted to the Attorney General under the Deceptive Trade Practices Act, § 4-
36 88-101, et seq., shall be available to the Attorney General for the

1 enforcement of this act.

2 (d) Nothing in this act limits the rights or remedies which are
3 otherwise available to a consumer under any other law.

4 (e) The obligations under this act are cumulative and should in no way
5 be deemed to limit the obligations imposed under any other law.

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7 SECTION 2. All provisions of this act of a general and permanent nature
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
9 Revision Commission shall incorporate the same in the Code.

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11 SECTION 3. If any provision of this act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 act are declared to be severable.

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17 SECTION 4. All laws and parts of laws in conflict with this act are
18 hereby repealed.

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/s/Rep. Hendren

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