Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas As Engrossed: H4/7/99 A D:11	
2	82nd General Assembly A B1II	
3	Regular Session, 1999 HOUSE BILL 20	12
4		
5	By: Representatives Laverty, Broadway, Hathorn, Sheppard, Prater, Lynn, Creekmore, Harris, P.	
6	Malone, Teague	
7		
8	For An Act To Be Entitled	
9		
10	"AN ACT TO AMEND ARKANSAS CODE TITLE 4, CHAPTER 88 TO ADD SUBCHAPTER 4 CONCERNING 'SLAMMING' IN THE	
11 12	TELECOMMUNICATIONS INDUSTRY; AND FOR OTHER PURPOSES."	
13	TELECOMMONICATIONS INDUSTRY, AND FOR OTHER FORFUSES.	
14	Subtitle	
15	"TO AMEND ARKANSAS CODE TITLE 4, CHAPTER	
16	88 TO ADD SUBCHAPTER 4 CONCERNING	
17	'SLAMMING' IN THE TELECOMMUNICATIONS	
18	I NDUSTRY. "	
19		
20		
21	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
22		
23	SECTION 1. Arkansas Code Title 4, Chapter 88 is hereby amended by	
24	inserting Subchapter 4 at the end thereof to read as follows:	
25	"SUBCHAPTER 4 - 'SLAMMING' IN THE TELECOMMUNICATIONS INDUSTRY.	
26	4-88-401. Definitions.	
27	(a) 'Subscriber' means a telecommunications service provider's or	
28	provider's retail business customer or a retail residential customer.	
29	(b) 'Person' means any individual, group, unincorporated association,	
30	limited or general partnership, limited liability corporation, corporation,	
31	professional fund raiser, charitable organization, or other business entity.	
32	(c) 'Slamming' means submitting or executing a change in a subscriber'	<u>s</u>
33	selection of a provider of telephone exchange service or telephone toll	
34	service except in accordance with the verification procedures as the FCC sha	<u> </u>
35	prescri be.	
36		

MHF371

As Engrossed: H4/7/99 HB2012

1 4-88-402. 'Slamming'.

No telecommunications service provider, and no person acting on behalf of any telecommunications service provider, shall engage in the practice of 'slamming', as defined in this subchapter.

- 4-88-403. Penalties, remedies, and enforcement.
- (a) When a person violates this subchapter or a regulation prescribed under this subchapter, such violation shall constitute an unfair or deceptive act or practice as defined by the Deceptive Trade Practices Act, beginning at Arkansas Code 4-88-101. All remedies, penalties, and authority granted to the attorney general under the Deceptive Trade Practices Act shall be available to the attorney general for the enforcement of this subchapter.
- (b) The remedies and penalties provided by this section are cumulative to each other and the remedies or penalties available under all other laws of this state."

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

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

- SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.
- 29 /s/ Laverty, et al