

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FOUR

—  
H.P. 1433 - L.D. 2234

**An Act to Require Telephone Solicitors to Use the Reassigned Numbers Database**

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 10 MRSA §1499-B, sub-§1, ¶D-2** is enacted to read:

D-2. "Reassigned numbers database" means a database created and maintained by the Federal Communications Commission that identifies whether a telephone number has been reassigned.

**Sec. 2. 10 MRSA §1499-B, sub-§6**, as amended by PL 2007, c. 489, §3, is further amended to read:

**6. Telephone solicitation violations.** It is a violation of this section for a telephone solicitor to initiate a telephone sales call to a consumer if that consumer's telephone number has been on the national or state do-not-call registry, established by the Federal Trade Commission, for at least 3 months prior to the date the call is made or to fail to use the reassigned numbers database to verify that a consumer's telephone number has not been reassigned prior to initiating a telephone sales call to that consumer. A telephone solicitor is not liable for violating this section if the telephone solicitor can demonstrate that:

- A. As part of the telephone solicitor's routine business practice, the telephone solicitor has established and implemented written procedures to comply with this section;
- B. As part of the telephone solicitor's routine business practice, the telephone solicitor has trained its personnel, and any entity assisting in its compliance, in the procedures established pursuant to paragraph A;
- C. As part of the telephone solicitor's routine business practice, the telephone solicitor or another person acting on behalf of the telephone solicitor has recorded and maintained a list of telephone numbers the telephone solicitor may not contact;
- D. As part of the telephone solicitor's routine business practice, the telephone solicitor uses a process to prevent telemarketing to any telephone number on any list established pursuant to paragraph C or on the national do-not-call registry, employing a version of the national do-not-call registry obtained from the Federal Trade Commission no more

than 31 days prior to the date any call is made, and maintains records documenting this process;

E. As part of the telephone solicitor's routine business practice, the telephone solicitor or another person acting on behalf of the telephone solicitor monitors and enforces compliance with the procedures established pursuant to paragraph A; ~~and~~

E-1. As part of the telephone solicitor's routine business practice, the telephone solicitor or another person acting on behalf of the telephone solicitor uses the reassigned numbers database to verify that a consumer's telephone number has not been reassigned prior to initiating a telephone sales call to that consumer; and

F. Any subsequent call otherwise violating this section is the result of error.