



February 2, 2018

SENATE BILL No. 379

DIGEST OF SB 379 (Updated February 1, 2018 9:25 am - DI 107)

Citations Affected: IC 24-5.

Synopsis: Automatic dialing-announcing devices. Provides that the statute prohibiting a caller from using or connecting an automatic dialing-announcing device to a telephone line unless certain conditions are met does not apply with respect to messages made in connection with calls made by the state or a political subdivision of the state in connection with certain debt collection activities.

Effective: July 1, 2018.

Eckerty

January 8, 2018, read first time and referred to Committee on Commerce and Technology.
February 1, 2018, amended, reported favorably — Do Pass.

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February 2, 2018

Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 379

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 24-5-14-5, AS AMENDED BY P.L.216-2015,
2 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 5. (a) This section does not apply to any of the
4 following messages:
5 (1) Messages from school districts to students, parents, or
6 employees.
7 (2) Messages to subscribers with whom the caller has a current
8 business or personal relationship.
9 (3) Messages advising employees of work schedules.
10 (4) **Messages made by:**
11 (A) **the state;**
12 (B) **a political subdivision (as defined in IC 36-1-2-13); or**
13 (C) **an agent or employee of the state or a political**
14 **subdivision (as defined in IC 36-1-2-13);**
15 **in connection with the collection of any debt, fee, fine,**
16 **account, tax, judgment, or other monetary obligation.**
17 (b) A caller may not use or connect to a telephone line an automatic

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- 1 dialing-announcing device unless:
- 2 (1) the subscriber has knowingly or voluntarily requested,
- 3 consented to, permitted, or authorized receipt of the message; or
- 4 (2) the message is immediately preceded by a live operator who
- 5 obtains the subscriber's consent before the message is delivered.



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill No. 379, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 10, delete "in connection with the collection of a debt," and insert "**by:**

(A) the state;

(B) a political subdivision (as defined in IC 36-1-2-13); or

(C) an agent or employee of the state or a political subdivision (as defined in IC 36-1-2-13);

in connection with the collection of any debt, fee, fine, account, tax, judgment, or other monetary obligation."

Page 1, delete lines 11 through 17.

and when so amended that said bill do pass.

(Reference is to SB 379 as introduced.)

MESSMER, Chairperson

Committee Vote: Yeas 7, Nays 0.

