

## Senate Resolution 111

By: Senators Staton of the 18th, Shafer of the 48th, Williams of the 19th, Chance of the 16th, Douglas of the 17th and others

## A RESOLUTION

1 To urge Congress to amend the federal CAN-SPAM Act to allow the states greater authority  
2 in attempting to curtail and to regulate the transmission and receipt of unwanted, unsolicited,  
3 and deceptive electronic mail; and for other purposes.

4 WHEREAS, electronic mail has become an important and popular means of communication,  
5 relied on by millions of Georgians on a daily basis for personal and commercial purposes;  
6 and

7 WHEREAS, the low cost and global reach of electronic mail make it convenient and efficient  
8 and allow electronic mail to serve as a catalyst for economic development and frictionless  
9 commerce; and

10 WHEREAS, the convenience and efficiency of electronic mail are threatened by an  
11 ever-increasing glut of unwanted, unsolicited, offensive, and often deceptive commercial  
12 electronic mail whose senders engage in a variety of fraudulent and deceptive practices to  
13 hide their identities, to disguise the true source of their electronic mail, and to evade the  
14 criminal and civil consequences of their actions; and

15 WHEREAS, unwanted and unsolicited commercial electronic mail imposes costs upon its  
16 ultimate recipients who are forced to receive, review, and delete such messages and upon the  
17 electronic mail service providers forced to carry the messages; and

18 WHEREAS, states have a paramount interest in protecting their businesses and citizens from  
19 the deleterious effects of unwanted, unsolicited, and deceptive commercial electronic mail,  
20 including the impermissible shifting of cost and economic burden that results from such  
21 commercial electronic mail; and

22 WHEREAS, the federal Controlling the Assault of Non-Solicited Pornography and  
23 Marketing (CAN-SPAM) Act, Public Law No. 108-187, severely limits the abilities of the

1 states to control or regulate this unwanted, unsolicited, and deceptive commercial electronic  
2 mail; and

3 WHEREAS, the federal CAN-SPAM Act does not do enough to stop the assault of this  
4 electronic mail on the people of this state and nation and has not been effective in stemming  
5 the tide of this problem.

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body  
7 urge Congress to amend the federal CAN-SPAM Act to permit the states greater authority  
8 in attempting to curtail and to regulate the transmission and receipt of unwanted, unsolicited,  
9 and deceptive electronic mail.

10 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed  
11 to transmit appropriate copies of this resolution to the members of the Georgia congressional  
12 delegation.