

The House Committee on Public Utilities and Telecommunications offers the following substitute to HB 1060:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to
2 telephone and telegraph service, so as to enact the "Wireless Communications Security Act";
3 to define a certain term; to provide that any vendor of prepaid wireless communication
4 service shall require identification from any person seeking to purchase more than ten units
5 of prepaid wireless communication devices; to provide for certain records; to provide for
6 certain notifications; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone and
11 telegraph service, is amended by inserting at the end thereof the following:

12 "ARTICLE 6

13 46-5-200.

14 This article shall be known and may be cited as the "Wireless Communications Security
15 Act."

16 46-5-201.

17 As used in this article, the term 'prepaid wireless communication device' means a wireless
18 telephone, memory card, or other device by which a person may obtain wireless service
19 which, except for the provisions of this article, is incapable of being linked to the name and
20 personal information of the customer.

1 46-5-202.

2 (a) Any person who markets or sells prepaid wireless communication devices shall not sell
3 more than ten such devices to any person without obtaining valid identification from such
4 person. Valid identification shall include the following documents:

5 (1) A driver's license which was properly issued by the appropriate agency of a state or
6 the District of Columbia;

7 (2) A valid identification card issued by a branch, department, agency, or entity of the
8 State of Georgia, any other state, or the United States authorized by law to issue personal
9 identification, provided that such identification card contains a photograph of the person;

10 (3) A valid United States passport;

11 (4) A valid employee identification card containing a photograph of the person and
12 issued by any branch, department, agency, or entity of the United States government;

13 (5) A valid United States military identification card, provided that such identification
14 card contains a photograph of the person; or

15 (6) A valid tribal identification card containing a photograph of the person.

16 (b) Any marketer or seller of prepaid wireless communication devices shall keep a record
17 of each sale subject to subsection (a) of this Code section, including, at a minimum, the
18 date and location of the transaction, the number of devices sold, the model and serial
19 numbers of the devices, the form of information provided, and personal information of the
20 purchaser including, without limitation, his or her name, gender, age, and address. If the
21 purchaser is a corporation or partnership, such information shall be obtained from a
22 corporate officer or partner, and the name and registered address of the corporation or
23 partnership shall be noted. The records required by this subsection shall be maintained for
24 not less than three years.

25 (c) The provisions of subsection (a) of this Code section shall only apply to cash
26 transactions.

27 46-5-203.

28 Each marketer or seller of prepaid wireless communication devices shall provide a copy
29 of the records required by subsection (b) of Code Section 46-5-202 to the Georgia Bureau
30 of Investigation in such manner as required by the Georgia Bureau of Investigation by rule
31 or regulation."

32 **SECTION 2.**

33 This Act shall become effective upon its approval by the Governor or upon its becoming law
34 without such approval.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.