

House Bill 275

By: Representatives Black of the 174<sup>th</sup>, Cheokas of the 134<sup>th</sup>, Williams of the 4<sup>th</sup>, Amerson of the 9<sup>th</sup>, Parsons of the 42<sup>nd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia  
2 Annotated, relating to general provisions relative to telephone service, so as to change certain  
3 provisions relating to transmission of unsolicited commercial facsimile messages; to change  
4 certain provisions relating to telephone solicitations to residential, mobile, or wireless  
5 subscribers and a state list of subscribers who object to solicitations; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated,  
10 relating to general provisions relative to telephone service, is amended by revising  
11 subsection (a) of Code Section 46-5-25, relating to transmission of unsolicited commercial  
12 facsimile messages, as follows:

13 "(a) As used in this Code section, the term 'telefacsimile' shall refer to any process by  
14 which electronic signals are transmitted by or to any telephone system for conversion into  
15 written text, including but not limited to text displayed by a wireless telephone."

16 **SECTION 2.**

17 Said part is further amended by revising paragraph (3) of subsection (b) of Code  
18 Section 46-5-27, relating to telephone solicitations to residential, mobile, or wireless  
19 subscribers and a state list of subscribers who object to solicitations, as follows:

20 "(3) 'Telephone solicitation' means any voice communication or text message over a  
21 telephone ~~line~~ system for the purpose of encouraging the purchase or rental of, or  
22 investment in, property, goods, or services, but does not include communications:

23 (A) To any residential, mobile, or wireless subscriber with that subscriber's prior  
24 express invitation or permission;

25 (B) By or on behalf of any person or entity with whom a residential, mobile, or  
26 wireless subscriber has a prior or current business or personal relationship; or

27 (C) By or on behalf of a charitable organization which has filed a registration statement  
28 pursuant to Code Section 43-17-5, is exempt from such registration under  
29 paragraphs (1) through (6) of subsection (a) of Code Section 43-17-9, or is exempt from  
30 such registration as a religious organization or agency referred to in paragraph (2) of  
31 Code Section 43-17-2.

32 Such communication may be from a live operator, through the use of ADAD equipment  
33 as defined in Code Section 46-5-23, or by other means."

34 **SECTION 3.**

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