

House Bill 899

By: Representatives Williams of the 145<sup>th</sup>, Scoggins of the 14<sup>th</sup>, Hatchett of the 150<sup>th</sup>, Bonner of the 72<sup>nd</sup>, Smith of the 133<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 46-5-27 of the Official Code of Georgia Annotated, relating to  
2 telephone solicitations to residential, mobile, or wireless subscribers, Public Service  
3 Commission to establish and maintain list of certain subscribers, authorization for imposition  
4 of administrative fees, confidential nature of data base, and required identification, so as to  
5 increase the civil penalty for making certain prohibited telephone solicitations; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 46-5-27 of the Official Code of Georgia Annotated, relating to telephone  
10 solicitations to residential, mobile, or wireless subscribers, Public Service Commission to  
11 establish and maintain list of certain subscribers, authorization for imposition of  
12 administrative fees, confidential nature of data base, and required identification, is amended  
13 by revising subsection (h) as follows:

14 "(h) The Attorney General shall have authority to initiate proceedings, pursuant to Code  
15 Section 10-1-397, relating to a knowing violation or threatened knowing violation of  
16 subsection (c) or (g) of this Code section. Such proceedings include without limitation  
17 proceedings to issue a cease and desist order, to issue an order imposing a civil penalty up  
18 to a maximum of ~~\$2,000.00~~ \$5,000.00 for each knowing violation, and to seek additional  
19 relief in any superior court of competent jurisdiction. Such actions shall be brought in the  
20 name of the state. The provisions of Code Sections 10-1-398, 10-1-398.1, and 10-1-405  
21 shall apply to proceedings initiated by the Attorney General under this subsection. The  
22 Attorney General is authorized to issue investigative demands, issue subpoenas, administer  
23 oaths, and conduct hearings in the course of investigating a violation of subsection (c) or  
24 (g) of this Code section, in accordance with the provisions of Code Sections 10-1-403 and  
25 10-1-404."

26

**SECTION 2.**

27 All laws and parts of laws in conflict with this Act are repealed.