

**ASSEMBLY BILL**

**No. 792**

---

---

**Introduced by Assembly Member Duvall**

February 26, 2009

---

---

An act to amend Section 17514 of the Business and Professions Code, relating to business.

LEGISLATIVE COUNSEL'S DIGEST

AB 792, as introduced, Duvall. Business: mail solicitations.

Existing law requires a person who sends a solicitation by mail soliciting the recipient to receive information by telephone to disclose specified information, including, without limitation, the telephone number to which calls are to be placed.

This bill would require the person to disclose additional telephone numbers, if applicable.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 17514 of the Business and Professions
- 2 Code is amended to read:
- 3 17514. (a) A person who sends a solicitation by mail that
- 4 solicits a recipient to consent to receive information via telephone,
- 5 where that recipient's telephone number is not listed on the national
- 6 "do not call" registry established and maintained by the Federal
- 7 Trade Commission, as described in Section 310.4(b)(1)(iii)(B) of
- 8 Title 16 of the Code of Federal Regulations, shall include in the

1 solicitation a clear and conspicuous disclosure of the following  
2 information:

3 (1) Identification of the name of the sender of the mailing and  
4 of the entity that is requesting permission to call.

5 (2) The telephone number *or numbers* to which calls are to be  
6 placed.

7 (3) Notice that the recipient may be contacted by a telephone  
8 solicitor.

9 (b) A violation of this section shall not be a crime,  
10 notwithstanding Section 17534. However, all available civil  
11 remedies that are applicable to a violation of this section may be  
12 employed.