

**CONFERENCE COMMITTEE REPORT
DIGEST FOR HB 1120**

Citations Affected: IC 24-5-12-25.

Synopsis: Telephone solicitations. Conference Committee report for EHB 1120. Requires professional fundraisers to submit information concerning a solicitation campaign to the consumer protection division of the office of the attorney general, including the amount of money the campaign raised, the amount of money the professional fundraiser received, and the amount received by charitable organizations. Makes an exception for a solicitation campaign on behalf of law enforcement, a rescue squad, or a fire department in which certain written authorization for the campaign has been filed with the division. Raises a professional fundraiser's initial registration fee to \$1,000. Specifies that fiscal records that a professional fundraiser is required to keep are to be made available to the consumer protection division of the office of the attorney general upon request. Requires a professional solicitor to disclose certain information to the donor at the time of the solicitation, including the name of the professional solicitor, the charitable purpose for which the funds are being raised, and upon request a telephone number at which the person being solicited can confirm information provided by the solicitor. Allows a contributor to cancel a pledge for a monetary contribution at any time prior to making the contribution. Prohibits collection of contributions in person or by courier unless the solicitation was made in connection with the sale of goods or items or in person and the attempt to collect is made at the time of solicitation. Provides that a person who solicits a charitable contribution for law enforcement, a rescue squad, or a fire department must include in its solicitation notice, which is required to be filed with the consumer protection division of the attorney general, a written authorization from the law enforcement agency, rescue squad, or fire department on whose behalf the person seeks to solicit contributions. Raises penalties for violation of the professional fundraiser law to a Class B misdemeanor on the first offense and to a Class A misdemeanor for successive offenses. Makes knowingly or intentionally blocking or attempting to block the display of a seller's telephone number or identity by a caller ID service a Class B misdemeanor for the first offense and a Class A misdemeanor for subsequent offenses. (This conference committee report requires a professional solicitor to disclose upon request the address of the charitable organization being represented and a telephone number the person being solicited can call for purposes of verification and adds the prohibition on the intentional blocking of Caller ID by a telemarketer.)

Effective: July 1, 1998.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1120 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 4, line 24, before "address" insert "**, upon request, the**".
2 Page 4, line 29, delete "a" and insert "**, upon request, the**".
3 Page 5, line 40, after "IC 23-7-8-8" insert, "**AS AMENDED BY**
4 HEA 1011-1998,".
5 Page 6, line 35, delete "IC 34-4-32-1" and insert "~~IC 34-28-5-1~~".
6 Page 7, after line 6, begin a new paragraph and insert:
7 "**SECTION 7. IC 24-5-12-25 IS ADDED TO THE INDIANA**
8 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
9 **[EFFECTIVE JULY 1, 1998]: Sec. 25. (a) If a person makes a**
10 **solicitation to a prospect that is outside of the course of dealing (as**
11 **described in IC 26-1-1-205), whether personally, through**
12 **salespersons, or through the use of an automated dialing and**
13 **answering device, the person may not knowingly or intentionally**
14 **block or attempt to block the display of the person's:**
15 **(1) telephone number; or**
16 **(2) identity;**
17 **by a caller ID service (as defined by IC 8-1-2.9-1) when attempting**
18 **to initiate a telephone conversation for the purpose of making a**
19 **solicitation to a prospect.**
20 **(b) A person who knowingly or intentionally violates this**
21 **section commits a Class B misdemeanor. However, the offense is a**
22 **Class A misdemeanor if the person has a previous unrelated**
23 **conviction under this subsection."**

(Reference is to EHB 1120 as reprinted February 24, 1998.)

Conference Committee Report
on
House Bill 1120

Signed by:

Senator Long

Representative Grubb

Senator Blade

Representative Yount

Senate Conferees

House Conferees