

SENATE BILL No. 112

DIGEST OF INTRODUCED BILL

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

Synopsis: Advance notice by telemarketers. Requires a seller intending to make a telephone solicitation to send a written notification to a prospect of the seller's intent to make a solicitation. Makes failing to send a written notification before soliciting a prospect a Class C infraction.

Effective: July 1, 1998.

K. Adams

January 8, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.



Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations and consumer sales and credit.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 24-5-12-25 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1998]: **Sec. 25. (a) Notwithstanding section 8 of this chapter, as
4 used in this section, "seller" means a person who, personally,
5 through salespersons, or through the use of an automated dialing
6 and answering device, makes a solicitation to a prospect that is
7 outside of the course of dealing, as described by IC 26-1-1-205,
8 between the seller and the prospect.**
9 (b) Before a seller may initiate a telephone conversation for the
10 purpose of making a solicitation to a prospect, the seller must send
11 the prospect a written notification that the seller intends to make
12 a solicitation.
13 (c) A seller who violates subsection (b) commits a Class C
14 infraction.

