



1           (2) By or on behalf of any person or entity with whom a  
2           residential subscriber has an established business  
3           relationship;

4           (3) Made for the sole purpose of urging support for or  
5           opposition to a political candidate or ballot issue;  
6           or

7           (4) Made for the sole purpose of conducting political  
8           polls or soliciting the expression of opinions, ideas,  
9           or votes.

10           § -2 **Unlawful to make telephone solicitations to**  
11 **subscribers on the Hawaii no-call list.** (a) No person shall  
12 make or cause to be made any telephone solicitation to the  
13 telephone line of any residential subscriber in this State who  
14 has added the subscriber's telephone number and zip code to the  
15 Hawaii no-call list.

16           (b) No person who makes a telephone solicitation to the  
17 telephone line of any residential subscriber in this State shall  
18 make a telephone solicitation unless the person obtains updated  
19 copies of the Hawaii no-call list within thirty days after the  
20 beginning of every calendar quarter, after June 30, 2008, or  
21 upon the initial availability and accessibility of the Hawaii  
22 no-call list, whichever is earlier.



1           §    **-3 Establishment and operation of a Hawaii no-call**  
2 **list.** (a) The Hawaii no-call list program is hereby created  
3 for the purpose of establishing a database to use when verifying  
4 residential subscribers in this State who have given notice of  
5 the subscribers' objection to receiving telephone solicitations.  
6 The program shall be administered by the department of commerce  
7 and consumer affairs.

8           (b) No later than January 1, 2008, the department shall  
9 create and maintain an internet website and current database  
10 containing the Hawaii no-call list. The list shall be available  
11 on-line at the Hawaii no-call list web site to a person desiring  
12 to make telephone solicitations, if the person has registered  
13 with the website.

14           (c) The department may contract with a private entity to  
15 maintain the website and database containing the Hawaii no-call  
16 list.

17           §    **-4 Penalties.** Any person who violates this chapter  
18 shall be deemed to have engaged in an unfair or deceptive act or  
19 practice in the conduct of any trade or commerce within the  
20 meaning of section 480-2(a).

21           §    **-5 Rules.** The department shall adopt rules under  
22 chapter 91 to enforce this chapter. The department shall not



1 charge any fees for residential subscribers who wish to have  
2 their telephone numbers placed on the Hawaii no-call list. The  
3 department shall charge reasonable fees for persons making  
4 telephone solicitations to residents of this State, which shall  
5 be deposited into the general fund."

6 SECTION 2. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$ , or so  
8 much thereof as may be necessary for fiscal year 2007-2008, for  
9 development of the internet website and database for the Hawaii  
10 no-call list.

11 The sum appropriated shall be expended by the department of  
12 commerce and consumer affairs for the purposes of this Act.

13 SECTION 3. This Act shall take effect upon its approval.

14

INTRODUCED BY: Kirk Caldwell

JAN 24 2007



**Report Title:**

Phone Solicitation

**Description:**

Prohibits phone solicitors from placing calls to residents who are registered on a no-call list. Establishes a website and database containing the no-call list.

