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## MISDEMEANOR TELEMARKETING OFFENSES

**House Bill 4702**

**Sponsor: Rep. Patricia Lockwood**

**Committee: Energy and Technology**

**Complete to 5-7-01**

### **A SUMMARY OF HOUSE BILL 4702 AS INTRODUCED 5-2-01**

Currently, the Michigan Penal Code makes it a misdemeanor for any person to maliciously use any service provided by a communications common carrier (such as telephone lines) with the intent to “terrorize, frighten, intimidate, threaten, harass, molest, or annoy any other person,” or to disturb the peace and quiet of any other person by doing any of a number of actions listed in the code, including making an unsolicited call that is received between the hours of 9:00 p.m. and 9:00 a.m. (The code defines “an unsolicited commercial call” to mean a call made by a person or recording device on behalf of a person, corporation, or other entity, soliciting business or contributions.) Punishment is imprisonment for up to six months or a fine of up to \$500.

The bill would amend this section of the code to make it a misdemeanor to make an unsolicited commercial telephone hour that was received on Sunday or between the hours of 5:00 p.m. and 9:00 a.m. Monday through Saturday.

MCL 750.540e

House Bill 4702 (5-7-01)

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

