2018 Regular Session

HOUSE BILL NO. 139

BY REPRESENTATIVE HOFFMANN

PUBLIC SERVICE COMN: Provides an exception with respect to certain telephonic solicitations during a declared state of emergency

| 1 | AN ACT |
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| 2 | To amend and reenact R.S. 45:844.31(B)(2), relative to prohibitions against telephonic |
| 3 | solicitations during a declared state of emergency; to expressly provide an exception |
| 4 | with respect to certain telephonic solicitations for blood products for patient |
| 5 | transfusion; to provide technical changes; and to provide for related matters. |
| 6 | Be it enacted by the Legislature of Louisiana: |
| 7 | Section 1. R.S. 45:844.31(B)(2) is hereby amended and reenacted to read as follows: |
| 8 | §844.31. Telemarketing activities; prohibited prohibitions; exceptions |
| 9 | * * * |
| 10 | B. For purposes of this Chapter: |
| 11 | * * * |
| 12 | (2)(a) "Telephonic solicitation" means any voice or data communication |
| 13 | made by a telephonic solicitor to a residential telephonic subscriber for any of the |
| 14 | following purposes: purpose of |
| 15 | (i) encouraging Encouraging a sale or rental of or investment in property, |
| 16 | consumer goods, or services; or for the purpose of . |
| 17 | (ii) encouraging Encouraging an extension of credit for property, consumer |
| 18 | goods, or services; or for the purpose of. |

| 1 | (iii) obtaining Obtaining information that will or may be used for the direct |
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| 2 | solicitation of a sale or rental of or investment in property, consumer goods, or |
| 3 | services or an extension of credit for such purposes; or for. |
| 4 | (iv) the The solicitation of a contribution to a charitable organization, except |
| 5 | for the American Red Cross. |
| 6 | (b) Notwithstanding any other provision of law to the contrary, the |
| 7 | provisions of this Chapter do not apply to either of the following: |
| 8 | (i) The American Red Cross. |
| 9 | (ii) Louisiana-based community blood centers with nonprofit status under |
| 10 | Section 501(c)(3) of the Internal Revenue Code collecting voluntarily donated blood |
| 11 | products for patient transfusion. |
| 12 | * * * |
| | |

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

| HB 139 Original | 2018 Regular Session | Hoffmann |
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Abstract: Makes an express exception with respect to telephonic solicitations for blood products during a declared state of emergency.

<u>Present law</u> generally prohibits certain telephonic solicitations during a state of emergency as declared by the governor. <u>Proposed law</u> retains <u>present law</u>.

<u>Present law</u> defines "telephonic solicitation". <u>Proposed law</u> retains <u>present law</u> and makes technical changes.

<u>Proposed law</u> expressly provides an exception to exclude "La.-based community blood centers with nonprofit status under Section 501(c)(3) of the Internal Revenue Code collecting voluntarily donated blood products for patient transfusion" from the provisions of <u>present law</u>.

(Amends R.S. 45:844.31(B)(2))