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Printed Page No. **16**

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE No. **116**

January 16, 2007

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The bill was read for the first time and referred to the Committee on Commerce and Labor

February 13, 2007

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Public Safety and Civil Justice

February 19, 2007

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to commerce; imposing certain customer sales or service call center
1.3 requirements; proposing coding for new law in Minnesota Statutes, chapter 325E.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[325E.259] CUSTOMER SALES OR SERVICE CALL CENTER**
1.6 **REQUIREMENTS.**

1.7 Subdivision 1. **Definitions.** For purposes of this section, the following terms have
1.8 the meanings given them.

1.9 (1) "Customer sales and service call center" means an entity whose primary purpose
1.10 includes the initiating or receiving of telephonic communications on behalf of any person
1.11 for the purpose of initiating telephone solicitations as defined in section 325E.311,
1.12 subdivision 6.

1.13 (2) "Customer service call center" means an entity whose primary purpose includes
1.14 the initiating or receiving of telephonic communications on behalf of any person for the
1.15 purposes of providing or receiving services or information necessary in connection with
1.16 the providing of services or other benefits.

1.17 (3) "Customer services employee" means a person employed by or working on
1.18 behalf of a customer sales call center or a customer service call center.

1.19 Subd. 2. **Customers' right to customer sales or customer service call center**
1.20 **information.** (a) An individual who is a Minnesota resident who receives a telephone call
1.21 from, or places a telephone call to, a customer sales call center or a customer service call
1.22 center, upon request, has the right to know the identification of the state or country where
1.23 the customer service employee is located.

2.1 (b) An individual who is a Minnesota resident who receives a telephone solicitation
2.2 from, or places a telephone call to, a customer sales call center or a customer service call
2.3 center located in a foreign country, which requests the Minnesota resident's financial,
2.4 credit, or identifying information, has the right, upon reaching a customer service
2.5 representative, to request an alternative option to contact a customer sales or service
2.6 center located in the United States before the information is given if the alternative
2.7 option is available.

2.8 Subd. 3. **Nonapplicability; business-to-business calls.** The rights granted under
2.9 this section to an individual who is a Minnesota resident do not apply when the individual
2.10 who is a Minnesota resident is making or receiving the call on behalf of a business.

2.11 Subd. 4. **Violation.** It is fraud under section 325F.69 for a person to willfully
2.12 violate this section.

2.13 Subd. 5. **Application to other remedies.** Nothing in this section changes the
2.14 remedies currently available under state or federal law or creates additional or new
2.15 remedies.

2.16 Sec. 2. **EFFECTIVE DATE; APPLICATION.**

2.17 This act is effective August 1, 2007.