

Moved by Davis

Seconded by McKague

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1051

AMENDMENT TO SECTION 1

1  
2 On page 1 of the printed bill, delete lines 12 through 17 and insert: "Legislature to enact  
3 the "Truth in Caller Identification Act." The Legislature finds that the citizens of this state are  
4 potential targets of a telephone scam known as caller identification spoofing or caller identifica-  
5 tion fraud that allows a caller to hide his or her true identity by modifying caller identification  
6 information. It is therefor the intent of the "Truth in Caller Identification Act" to protect people  
7 from such scams that have led to harassment, the loss of personal information and potentially  
8 threatening telephone calls."

AMENDMENT TO THE BILL

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10 On page 1, delete lines 18 through 38, and delete pages 2 and 3, and insert:

11 "SECTION 2. That Chapter 6, Title 48, Idaho Code, be, and the same is hereby amended  
12 by the addition thereto of a NEW SECTION, to be known and designated as Section 48-603F,  
13 Idaho Code, and to read as follows:

14 48-603F. TRUTH IN CALLER IDENTIFICATION ACT. (1) For purposes of this sec-  
15 tion:

16 (a) "Caller" means a person who places a call by a telephone or over a telephone line,  
17 even if the person begins the call on a computer;

18 (b) "Caller identification system" means a listing of a caller's name, telephone number  
19 or name and telephone number that is shown to a recipient of a call when the recipient  
20 answers;

21 (c) "Established business relationship" means a relationship between the caller and the  
22 consumer that was formed prior to the telephone call at issue on the basis of an appli-  
23 cation, purchase, ongoing contractual agreement or commercial transaction between the  
24 parties regarding goods or services offered by the caller;

25 (d) "False information" means data that misrepresents the identity of the caller to the  
26 recipient of a call; except that when a person making an authorized call on behalf of  
27 another person inserts the name, telephone number or name and telephone number of the  
28 person on whose behalf the call is being made, such information shall not be deemed  
29 false information; and

30 (e) "Insert" means insert by voice communication, by written communication or by other-  
31 wise entering into a computer.

32 (2) A caller may not insert false information into a caller identification system call.

33 (3) The provisions of this section shall not apply to:

34 (a) Any blocking of caller identification information;

- 1 (b) Any law enforcement agencies of the federal government, the state government, a
- 2 county or a municipality;
- 3 (c) Any intelligence or security agencies of the federal government; or
- 4 (d) Telephone calls where there is already an established business relationship between
- 5 the caller and the person receiving the call."

6 CORRECTION TO TITLE

7 On page 1, delete lines 3 through 9, and insert: "LEGISLATIVE INTENT; AMEND-  
8 ING CHAPTER 6, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
9 48-603F, IDAHO CODE, TO DEFINE TERMS AND TO PROHIBIT INSERTION OF FALSE  
10 INFORMATION INTO A CALLER IDENTIFICATION SYSTEM CALL AND TO PROVIDE  
11 EXCEPTIONS."