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HOUSE BILL NO. 643

Offered January 11, 2012

Prefiled January 11, 2012

A BILL to amend and reenact § 59.1-510 of the Code of Virginia, relating to the Virginia Telephone Privacy Protection Act; telephone solicitation calls.

Patron—Stolle

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 59.1-510 of the Code of Virginia is amended and reenacted as follows:**

§ 59.1-510. Definitions.

As used in this chapter:

"Established business relationship" means a relationship between the called person and the person on whose behalf the telephone solicitation call is being made based on: (i) the called person's purchase from, or transaction with, the person on whose behalf the telephone solicitation call is being made within the 18 months immediately preceding the date of the call or (ii) the called person's inquiry or application regarding any property, good, or service offered by the person on whose behalf the telephone solicitation call is being made within the three months immediately preceding the date of the call.

"Personal relationship" means the relationship between a telephone solicitor making a telephone solicitation call and any family member, friend, or acquaintance of that telephone solicitor.

"Telephone solicitation call" means any telephone call, *including any text message sent via short message service (SMS), any message containing multimedia content sent via multimedia messaging service (MMS), or any message sent via Voice over Internet Protocol (VoIP), that is made to any natural person's residence in the Commonwealth, or to any wireless telephone with a Virginia area code, for the purpose of offering or advertising any property, goods, or services for sale, lease, license, or investment, including offering or advertising an extension of credit.*

"Telephone solicitor" means any person who makes, or causes another person to make, a telephone solicitation call.

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