

THE HOUSE OF REPRESENTATIVES
Monday, April 16, 2007

Committee Substitute for
ENGROSSED
Senate Bill No. 712

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 712 - By:
WILLIAMSON of the Senate and TIBBS of the House.

An Act relating to contracts; stating legislative finding; stating intent; creating the Anti-Caller ID Spoofing Act; providing short title; defining terms; prohibiting certain insertion of false information into a caller identification system; providing exemptions; providing penalties; making certain actions violations of the Oklahoma Consumer Protection Act; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 776.20 of Title 15, unless there is created a duplication in numbering,
3 reads as follows:

4 The Legislature finds that the citizens of this state are potential targets of a phone
5 scam known as caller ID spoofing or caller ID fraud that allows a caller to hide his or her
6 true identity by modifying caller ID information with the intent to mislead, defraud or
7 deceive the recipient of the telephone call. It is, therefore, the intent of the Anti-Caller
8 ID Spoofing Act to protect people from such scams which have led to the loss of personal
9 information, harassment and potentially threatening phone calls.

1 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 776.21 of Title 15, unless there is created a duplication in numbering,
3 reads as follows:

4 This act shall be known and may be cited as the “Anti-Caller ID Spoofing Act”.

5 SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma
6 Statutes as Section 776.22 of Title 15, unless there is created a duplication in numbering,
7 reads as follows:

8 As used in the Anti-Caller ID Spoofing Act:

9 1. “Caller” means a person who places a call by a telephone or over a telephone line,
10 even if the person begins the call on a computer;

11 2. “Caller identification system” means a listing of a caller's name, telephone
12 number, or name and telephone number that is shown to a recipient of a call when the
13 recipient answers;

14 3. “Insert” means insert by voice communication, by written communication or by
15 otherwise entering into a computer; and

16 4. “False information” means data that misrepresents the identity of the caller to
17 the recipient of a call; except that when a person making an authorized call on behalf of
18 another person inserts the name, telephone number or name and telephone number of
19 the person on whose behalf the call is being made, such information shall not be deemed
20 false information.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 776.23 of Title 15, unless there is created a duplication in numbering,
3 reads as follows:

4 A. A caller may not knowingly insert false information into a caller identification
5 system with the intent to mislead, defraud or deceive the recipient of a telephone call.

6 B. The provisions of this section shall not apply to:

7 1. Any blocking of caller identification information;

8 2. Any law enforcement agencies of the federal government, the state government,
9 a county or a municipality; or

10 3. Any intelligence or security agencies of the federal government.

11 C. Any person who knowingly inserts false information with the intent to mislead,
12 defraud or deceive the recipient of a telephone call into a caller identification system
13 shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned in the county
14 jail for not more than one (1) year or fined not more than Ten Thousand Dollars
15 (\$10,000.00) per incident, or by both such fine and imprisonment.

16 D. All acts and practices declared to be unlawful in this section shall, in addition,
17 be violations of the Oklahoma Consumer Protection Act.

18 SECTION 5. This act shall become effective November 1, 2007.

19 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,
20 dated 04-12-07 - DO PASS, As Amended.