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	
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.	

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1	(iii) obtaining Obtaining information that will or may be used for the direct
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 solicitation Soliciting of a contribution to a charitable organization,
5	except 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)]

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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 present law.

<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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Commerce</u> to the <u>original</u> bill:

1. Make technical changes.