

HOUSE BILL No. 2620

By Committee on Energy, Utilities and Telecommunications

2-11

1 AN ACT concerning consumer protection; relating to telecommunications
2 spoofing; prohibiting the use or offering of technology that transmits
3 inaccurate caller identification information.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) No person or entity shall:

7 (1) Offer any spoofing technology for download, purchase or use in
8 any electronic store, gateway, marketplace, application, website or any
9 other means of downloading, purchasing or using such spoofing
10 technology; or

11 (2) use spoofing technology in connection with any communications
12 service, including any telecommunications, wireless, broadband or
13 interconnected voice over internet protocol service.

14 (b) As used in this section "spoofing technology" means any
15 application, software or technology that is used to knowingly cause a
16 caller identification service to transmit false or misleading caller
17 identification information with the intent to defraud, harass, cause harm or
18 wrongfully obtain anything of value.

19 (c) This section shall not apply to:

20 (1) The blocking of caller identification information;

21 (2) any authorized activity of a law enforcement agency; or

22 (3) uses authorized pursuant to a court order.

23 (d) (1) The conduct prohibited by this section constitutes an
24 unconscionable act or practice in violation of K.S.A. 50-627, and
25 amendments thereto, and any person or entity who engages in such
26 conduct shall be subject to the remedies and penalties provided by the
27 Kansas consumer protection act.

28 (2) For the purposes of the remedies and penalties provided by the
29 Kansas consumer protection act:

30 (A) The person or entity committing the conduct prohibited by this
31 section shall be deemed the supplier, and the person or entity who is the
32 victim of such conduct shall be deemed the consumer; and

33 (B) proof of a consumer transaction shall not be required.

34 (e) This section shall be a part of and supplemental to the Kansas
35 consumer protection act.

36 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the statute book.