



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 12, 2015

CORRECTED (2/13/2015)

Mr. Speaker:

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 214**, MISREPRESENTATION OF TELEPHONE AND TEXT IDENTIFICATION, by Representative D. Lifferth, with the following amendments:

1. *Page 1, Lines 14 through 15:*

- 14 ▶ prohibits making telephone calls or text messages that provide false or
 inaccurate
15 caller or text message identification information with the intent to
 ~~{mislead}~~ harm ;

2. *Page 1, Lines 16 through 17:*

- 16 ▶ provides that a first violation is a class C misdemeanor and that any
 subsequent violation is a class B misdemeanor; ~~{and}~~
17 ▶ provides that the recipient of the call or text may bring a civil action for
 damages ; and
 ▶ provides that an Internet service provider or hosting company, a provider of
 public telecommunications services, or a text message service that transmits, routes,
 or otherwise manages data without selecting the content is not subject to these
 prohibitions .

3. *Page 2, Line 50:*

- 50 message identification information with the intent to ~~{deceive}~~ harm the
 recipient of the call or text

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4. Page 3, Lines 60 through 61:

60 (5) Each separate call {, message,} or text message transmitted in violation of
this section
61 is :
(a) for a first violation, a class C misdemeanor; and
(b) for a second or subsequent violation, a class B misdemeanor.

5. Page 3, Lines 63 through 64:

63 message, or text message made in violation of this section, a criminal action initiated by a
64 prosecuting attorney, or both.
(7) This section does not apply to an Internet service provider or hosting
company, a provider of public telecommunications services, or a text message
service by reason of the fact that the Internet service provider, hosting company,
text message service, or provider of public telecommunications services:
(i) transmits, routes, or provides connections for material without selecting the
material;
(ii) stores or delivers the material at the direction of a user; or
(iii) provides a caller or text message identification service.

Respectfully,

Ken Ivory
Committee Chair

Voting: 7-0-4

3 HB0214.HC1.WPD 2/12/15 4:08 pm rnorth/RCN SCA/NWB

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