

HOUSE BILL NO. HB0036

Sales of information by telecommunications companies.

Sponsored by: Representative(s) Gilmore

A BILL

for

1 AN ACT relating to telecommunications; providing that
2 certain information may not be included in a sale of
3 information; providing exceptions; providing that a
4 customer may not be charged for requesting that certain
5 information not be published; providing rulemaking
6 authority; providing for a civil action; and providing for
7 an effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 37-15-104(a)(v) and 37-15-404 by
12 creating a new subsection (g) are amended to read:

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14 **37-15-104. Services not regulated by this title.**

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16 (a) Except for contributions to the universal service
17 fund required pursuant to W.S. 37-15-501 and the assessment

1 levied pursuant to W.S. 37-2-106 through 37-2-109,
2 telecommunications service does not include, and the
3 provisions of this title do not apply to:

4
5 (v) Directory services, except as provided in
6 W.S. 37-12-130 and W.S. 37-15-404(g);

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8 **37-15-404. Protection of telecommunications**
9 **consumers.**

10
11 (g) The following shall apply regarding unlisted
12 telephone numbers and other unlisted information:

13
14 (i) No telecommunications company selling or
15 licensing a directory, book, database or other list of
16 residential customers shall include the name, telephone
17 number or other unlisted information for any customer
18 assigned an unlisted telephone number or who has requested
19 that certain information be unlisted or remain
20 confidential;

21
22 (ii) A customer shall not be charged for making
23 the choice to not have their name, number or other

1 information listed in a publicly available directory, book,
2 database or other list of customers;

3
4 (iii) This subsection shall not apply to the
5 provision of names, numbers or other information to the
6 following parties for the purposes indicated:

7
8 (A) To any law enforcement agency, fire
9 protection agency or other public or private agency for the
10 exclusive purpose of responding to a 911 emergency call or
11 communicating an imminent threat to life or property;

12
13 (B) To a lawful process issued under state
14 or federal law;

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16 (C) To the commission pursuant to its
17 duties under this title; and

18
19 (D) As provided by the commission pursuant
20 to rule and regulation for purposes consistent with the
21 provisions of this title.

22
23 (iv) A customer may maintain a civil action to
24 enjoin or restrain a violation of this subsection and may

1 seek damages in the same action. The prevailing party in
2 the civil action may recover court costs and reasonable
3 attorney's fees;

4

5 (v) No telecommunications company shall be
6 subject to criminal or civil liability for the release of
7 customer information as authorized by this subsection.

8

9 **Section 2.** This act is effective July 1, 2009.

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(END)