

1 AN ACT

2 relating to application of the Texas no-call list to certain  
3 transmissions to a mobile telephone number.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 44.002(9), Business & Commerce Code, is  
6 amended to read as follows:

7 (9) "Telephone call" means a call or other  
8 transmission which is made to or received at a telephone number,  
9 including:

10 (A) a call made by an automated telephone dialing  
11 system;

12 (B) a transmission to a facsimile recording  
13 device; and

14 (C) a call or other transmission, including a  
15 transmission of a text or graphic message or of an image, to a  
16 mobile telephone number serviced by a provider of commercial mobile  
17 service, as defined by Section 332(d), Communications Act of 1934  
18 (47 U.S.C. Section 151 et seq.), as amended, Federal Communications  
19 Commission rules, and the Omnibus Budget Reconciliation Act of 1993  
20 (Pub. L. No. 103-66), as amended, except that the term does not  
21 include a transmission made to a mobile telephone number as part of  
22 an ad-based telephone service, in connection with which the  
23 telephone service customer has agreed with the service provider to  
24 receive the transmission.

1           SECTION 2. Section 44.103, Business & Commerce Code, is  
2 amended by adding Subsection (c) to read as follows:

3           (c) The commission shall include on its Internet website a  
4 notice explaining the application of the Texas no-call list to a  
5 call or other transmission, including a transmission of a text or  
6 graphic message or of an image, to a mobile telephone number.

7           SECTION 3. This Act takes effect September 1, 2007.

David Newkirk

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 143 was passed by the House on March 20, 2007, by the following vote: Yeas 136, Nays 0, 3 present, not voting.

Robert Hancey  
Chief Clerk of the House

I certify that H.B. No. 143 was passed by the Senate on May 10, 2007, by the following vote: Yeas 31, Nays 0.

Lately Saw  
Secretary of the Senate

APPROVED: 25 MAY 07

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

10:00 PM O'CLOCK

MAY 25 2007

Roger Winnie