

FEB 3 2000  
COMMERCE AND REGULATION

H. 2/21/00 Do Pass  
S. 3/16/00 Commerce  
S. 3/16/00 Do Pass  
S. 3/23/00 Unfinished Business  
Calendo  
**2148**

HOUSE FILE  
BY EDDIE

(COMPANION TO LSB  
5829SS BY FREEMAN)

(p. 810) Passed House, Date 3/16/00 (p. 888) Passed Senate, Date 3/28/00  
Vote: Ayes 97 Nays 0 Vote: Ayes 50 Nays 0  
Approved 4-12-00

**A BILL FOR**

1 An Act prohibiting the use of a telephone listing that  
2 misrepresents the name and location of a business and making  
3 penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 714.16, subsection 2, Code 1999, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. n. (1) It is an unlawful practice for a  
4 person to misrepresent the geographic location of a supplier  
5 or a service or product by listing a fictitious business name  
6 or an assumed business name in a local telephone directory or  
7 directory assistance database if all of the following apply:

8 (a) The name purportedly represents the geographic  
9 location of the supplier.

10 (b) The listing does not identify the address, including  
11 the city and state, of the supplier.

12 (c) Calls made to a local telephone number are routinely  
13 forwarded to or otherwise transferred to a business location  
14 that is outside the local calling area covered by the local  
15 telephone directory or directory assistance database.

16 (2) A telephone company, provider of directory assistance,  
17 publisher of a local telephone directory, or officer,  
18 employee, or agent of such company, provider, or publisher  
19 shall not be liable in a civil action under this section for  
20 publishing in any directory or directory assistance database  
21 the listing of a fictitious or assumed business name of a  
22 person in violation of subparagraph (1) unless the telephone  
23 company, directory assistance provider, directory publisher,  
24 or officer, employee, or agent of the company, provider, or  
25 publisher is the person committing such violation.

26 (3) For purposes of this paragraph:

27 (a) "Local telephone directory" means a telephone  
28 classified advertising directory or the business section of a  
29 telephone directory that is distributed free of charge to some  
30 or all telephone subscribers in a local area directory.

31 (b) "Local telephone number" means a telephone number that  
32 has a three-number prefix used by the provider of telephone  
33 service for telephone customers physically located within the  
34 area covered by the local telephone directory in which the  
35 number is listed. The term does not include long distance

1 numbers or 800, 888, or 900 exchange numbers listed in the  
2 telephone directory.

3 EXPLANATION

4 This bill provides it is an unlawful practice under the  
5 consumer frauds provisions for a person to misrepresent the  
6 geographic location of a supplier or a service or product by  
7 listing a fictitious business name or an assumed business name  
8 in a local telephone directory or directory assistance  
9 database if the name represents the geographic location of the  
10 supplier; the listing does not identify the address, including  
11 the city and state, of the supplier; and calls made to a local  
12 telephone number are routinely forwarded to or otherwise  
13 transferred to a business location that is outside the local  
14 calling area covered by the local telephone directory or  
15 directory assistance database.

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HOUSE FILE 2148

AN ACT

PROHIBITING THE USE OF A TELEPHONE LISTING THAT MISREPRESENTS THE NAME AND LOCATION OF A BUSINESS AND MAKING PENALTIES APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 714.16, subsection 2, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. n. (1) It is an unlawful practice for a person to misrepresent the geographic location of a supplier or a service or product by listing a fictitious business name or an assumed business name in a local telephone directory or directory assistance database if all of the following apply:

- (a) The name purportedly represents the geographic location of the supplier.
- (b) The listing does not identify the address, including the city and state, of the supplier.
- (c) Calls made to a local telephone number are routinely forwarded to or otherwise transferred to a business location that is outside the local calling area covered by the local telephone directory or directory assistance database.

(2) A telephone company, provider of directory assistance, publisher of a local telephone directory, or officer, employee, or agent of such company, provider, or publisher shall not be liable in a civil action under this section for publishing in any directory or directory assistance database the listing of a fictitious or assumed business name of a person in violation of subparagraph (1) unless the telephone company, directory assistance provider, directory publisher, or officer, employee, or agent of the company, provider, or publisher is the person committing such violation.

(3) For purposes of this paragraph:

(a) "Local telephone directory" means a telephone classified advertising directory or the business section of a telephone directory that is distributed free of charge to some or all telephone subscribers in a local area directory.

(b) "Local telephone number" means a telephone number that has a three-number prefix used by the provider of telephone service for telephone customers physically located within the area covered by the local telephone directory in which the number is listed. The term does not include long distance numbers or 800, 888, or 900 exchange numbers listed in the telephone directory.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2148, Seventy-eighth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House  
Approved 4/12, 2000

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THOMAS J. VILSACK  
Governor

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