

FILED FEB 3 2000

SENATE FILE
BY FREEMAN

2088

(COMPANION TO LSB
5829HH BY EDDIE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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:

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

SF 2088
JUDICIARY

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.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35