

March 20, 2007

S 1058. TELEPHONE RECORDS PRIVACY PROTECTION ACT. Filed 3/20/07. *TO PROHIBIT THE FRAUDULENT OBTAINING, SELLING, OR SOLICITING OF TELEPHONE RECORDS.*

Enacts new Article 19D of GS Chapter 14, "Telephone Records Privacy Protection Act," with the following new sections. New GS 14-113.30 defines the terms *caller identification record*, *customer*, *person*, *telephone record*, *telephone service*, and *telephone service provider*. New GS 14-113.31 creates new offenses relating to obtaining telephone records by fraudulent means and receiving or selling telephone records obtained by fraudulent means. New GS 14-113.32 provides certain exceptions to GS 14-11.31, clarifies that the act does not expand the obligations of a telephone service provider to maintain the confidentiality of telephone records, and exempts from criminal and civil liability any telephone service provider who reasonably and in good faith discloses telephone records if the disclosure is later determined to be in violation of the act. New GS 14-113.33 provides for criminal and civil remedies for violation of the Article and provides that a violation of GS 14-113.31 is a violation of GS 75-1.1 (declaring unfair methods of competition and unfair or deceptive acts or practices in or affecting commerce unlawful).

Intro. by Stevens.

GS 14

April 24, 2007

S 1058. TELEPHONE RECORDS PRIVACY PROTECTION ACT. Filed 3/20/07. Senate committee substitute makes the following changes to 1st edition. Modifies proposed GS 14-113.33 by removing the requirement that to recover the amount of the customer's pecuniary loss suffered, proof of the loss must be submitted to the satisfaction of the court and removing the requirement that civil actions must be tried in the county where the plaintiff resides at the time of the commencement of the action. Changes references to the *act* to the *article*, and makes other technical changes. Changes the effective date to December 1, 2007.

April 25, 2007

S 1058. TELEPHONE RECORDS PRIVACY PROTECTION ACT. Filed 3/20/07. House amendment makes the following changes to 2nd edition. Modifies proposed GS 14-113.33 by (1) deleting the provisions for attorneys' fees and for recovering the amount of any gain that resulted from a violation of GS 14-331.31 and (2) consolidating the remaining provisions regarding civil liability for a violation of GS 14-331.31.

July 9, 2007

S 1058. TELEPHONE RECORDS PRIVACY PROTECTION ACT. Filed 3/20/07. House committee substitute makes the following changes to 3rd edition. Modifies proposed new GS 14-113.31 to prohibit soliciting another person to purchase or receive (was, to obtain or purchase or attempt to obtain or purchase) a telephone record that pertains to a customer without the customer's authorization, or if the purchaser or receiver knows or has reason to know that the record has been fraudulently obtained (was, or having reason to know that the person will obtain the telephone record fraudulently). Also prohibits a person from selling or offering to sell a telephone record that was obtained without the customer's consent, or if the person knows or has reason to know (was, obtained without the customer's consent knowing or having reason to know) that the record was fraudulently obtained.

July 12, 2007

S 1058. TELEPHONE RECORDS PRIVACY PROTECTION ACT. Filed 3/20/07. House amendment makes the following changes to 4th edition. Modifies proposed new GS 14-113.33 to decrease the proposed penalty for violations of the Article from a Class G to a Class H felony.

August 27, 2007

SL 2007-374 (S 1058). TELEPHONE RECORDS PRIVACY PROTECTION ACT. AN ACT TO PROHIBIT THE FRAUDULENT OBTAINING, SELLING, OR SOLICITING OF TELEPHONE

RECORDS. Summarized in *Daily Bulletin* 3/20/07, 4/24/07, 4/25/07, 7/9/07, and 7/12/07. Enacted August 19, 2007. Effective December 1, 2007.