

SECOND REGULAR SESSION

HOUSE BILL NO. 1957

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES.

4147H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 570, RSMo, by adding thereto one new section relating to caller identification spoofing, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 570, RSMo, is amended by adding thereto one new section, to be known as section 570.195, to read as follows:

570.195. 1. As used in this section the following terms shall mean:

(1) "Caller", a person who places a call by a telephone or over a telephone line, even if the person begins the call on a computer;

(2) "Caller identification system", a listing of a caller's name, telephone number, or name and telephone number that is shown to a recipient of a call when the recipient answers;

(3) "False information", data that misrepresents the identity of the caller to the recipient of a call; except that if a person making an authorized call on behalf of another person inserts the name, telephone number, or name and telephone number of the person on whose behalf the call is being made, such information shall not be deemed false information;

(4) "Insert", the insertion of data by voice communication, by written communication, or by otherwise entering into a computer.

2. Any caller who knowingly inserts false information into a caller identification system with the intent to mislead, defraud, or deceive the recipient of a telephone call shall be guilty of caller identification spoofing.

3. Caller identification spoofing shall be a class A misdemeanor.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **4. In addition to the criminal penalties in subsection 3 of this section, any person**
19 **who commits an act made unlawful by subsection 2 of this section shall also be liable for**
20 **civil damages in the amount of one hundred dollars per telephone call recipient plus any**
21 **attorney fees incurred by each telephone call recipient.**

22 **5. The provisions of this section shall not apply to:**

23 **(1) Any blocking of caller identification information;**

24 **(2) Any law enforcement agencies of the federal government, state government, a**
25 **county or municipality; or**

26 **(3) Any intelligence or security agencies of the federal government.**

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