

SESSION OF 2006

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR
SENATE BILL NO. 463**

As Recommended by Senate Committee on
Utilities

Brief*

Substitute for SB 463 would repeal K.S.A. 50-675a of the Kansas Consumer Protection Act. K.S.A. 50-675a mandates the Kansas Corporation Commission (KCC) to adopt rules and regulations by July 1, 2001 requiring all local exchange carriers and telecommunications carriers to develop a method or methods of notifying residential subscribers of the opportunity to limit the telemarketing calls they receive by registering their phone number on the Kansas do not call registry.

Background

The KCC adopted K.A.R. 82-1-250 on May 28, 2001 in compliance with K.S.A. 50-675a. The regulation required all interested local exchange carriers and telecommunications carriers to participate in a forum to develop the form, content and method or methods of providing notice of the Direct Marketing Association's telephone preference list. The parties agreed that the Direct Marketing Association's telephone preference list should be disseminated through the publishing of relevant information in the telephone directories published by the local exchange carriers.

In June 2003, the Kansas Attorney General adopted the national do not call registry, rather than the Direct Marketing Association's telephone preference list, as the Kansas do not call registry. This decision made the information published in the telephone directories inaccurate. The statute and the regulation, however, did not give the KCC the flexibility to adjust the language in the telephone directories. Substitute for SB 463 attempts to provide the flexibility in responding to any future changes in the provider of the Kansas do not call registry.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

A representative of the KCC was the proponent of the bill. A representative of Sprint provided the history of K.S.A. 50-675a and K.A.R. 82-1-250 .

There were no opponents of the bill who testified.

The fiscal note from the Director of Budget states that the KCC and the Citizens' Utility Ratepayer Board indicated that this bill would have no effect on the operations of either agency.