

By Mr. Poirier of North Attleborough, petition of Kevin Poirier and other members of the House for legislation to regulate electronic facsimile transmissions. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO ELECTRONIC FACSIMILE TRANSMISSIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 159 of the General Laws as appearing in the 1988 Offi-
2 cial Edition is hereby amended by inserting after section nine-
3 teen E the following new section:

4 Section 19F. No person, corporation, partnership or associa-
5 tion shall initiate the unsolicited transmission of telefacsimile
6 messages promoting goods or services for purchase by the recip-
7 ient of such messages. For the purposes of this section,
8 "telefacsimile" shall mean any process in which facsimiles of
9 documents are electronically transmitted by telephone lines.

10 This section shall not apply to telefacsimile messages sent to
11 a recipient with whom the initiator has had a prior contractual
12 or business relationship; provided, that the recipient has not
13 previously sent the initiator a written or telefacsimile message
14 clearly indicating that the recipient does not want to receive
15 telefacsimile messages from the initiator.

16 The department upon determination that a violation of this
17 section has occurred shall impose a civil fine of not less than two
18 hundred dollars for each violation.

