

Date of Hearing: April 6, 2022

ASSEMBLY COMMITTEE ON COMMUNICATIONS AND CONVEYANCE

Sharon Quirk-Silva, Chair

AB 2906 (Patterson) – As Introduced February 18, 2022

**SUBJECT:** Telecommunications: automatic dialing-announcing devices: pupil health and safety exemption

**SUMMARY:** This bill exempts persons contacting parents or guardians of pupils on behalf of a school, using automatic dialing-announcing devices, from specific prohibitions on the use of those devices.

**EXISTING LAW:**

- 1) Defines a “automatic dialing-announcing device” to mean any automatic equipment which incorporates a storage capability of telephone numbers to be called or a random or sequential number generator capable of producing numbers to be called and the capability to disseminate a prerecorded message to the telephone number called. (Public Utilities Code Section § 2871)
- 2) Prohibits a person from operating an automatic dialing-announcing device in this state to place a call that is received by a telephone in this state during the hours between 9 p.m. and 9 a.m. California time. (Public Utilities Code § 2872 (c))
- 3) Provides various exemptions to the prohibition on the use of an automatic dialing-announcing devices. (Public Utilities Code § 2872 (d))

**FISCAL EFFECT:** This bill has not been keyed fiscal by the Legislative Counsel.

**COMMENTS:**

- 1) *The use of automatic dialing-announcing devices.* Existing law governs the use of automatic dialing-announcing devices, including the hours during which the devices may be operated. In California, various organizations use autodialing devices to disseminate pre-recorded messages to telephone numbers located within a defined target area in an efficient manner. For example, telemarketers use such devices to sell goods and services by phone. Generally, automatic dialing-announcing devices are permitted to be used between the hours of 9p.m. and 9a.m. California time. However, existing law also provides for various exemptions for the use of automatic dialing-announcing devices by persons acting on behalf of specific organizations. For example, a person contacting parents or guardians of pupils on behalf of a school to notify them about a pupil’s attendance would be exempt from prohibitions on the use of the devices.

This bill would add another exemption by also exempting the use of automatic dialing-announcing devices by persons contacting parents or guardians of pupils, on behalf of a school, regarding the health or safety of pupils. Although no such exemption currently exists, it is unclear whether the lack of this explicit exemption has ever posed a challenge for schools or prevented them from contacting parents regarding health and safety.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file.

**Opposition**

None on file.

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