

119TH CONGRESS
2^D SESSION

S. _____

To expand the scope of the Do Not Call rules under the Telephone Consumer Protection Act to include all telephone subscribers, to expand the private right of action for calls in violation of those rules, and to modify the definition of the term “automatic telephone dialing system”.

IN THE SENATE OF THE UNITED STATES

Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To expand the scope of the Do Not Call rules under the Telephone Consumer Protection Act to include all telephone subscribers, to expand the private right of action for calls in violation of those rules, and to modify the definition of the term “automatic telephone dialing system”.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting American
5 Consumers from Robocalls Act”.

1 **SEC. 2. EXPANDING SCOPE OF DO NOT CALL RULES AND**
2 **PRIVATE RIGHT OF ACTION.**

3 (a) **IN GENERAL.**—Section 227(c) of the Communica-
4 tions Act of 1934 (47 U.S.C. 227(c)) is amended—

5 (1) in paragraph (1), in the matter preceding
6 subparagraph (A), by striking “residential”;

7 (2) in paragraph (3)—

8 (A) in the matter preceding subparagraph
9 (A), by striking “residential”; and

10 (B) in subparagraph (E), by striking “resi-
11 dential”; and

12 (3) in paragraph (5)—

13 (A) in the matter preceding subparagraph
14 (A), by striking “more than one telephone call
15 within any 12-month period by or on behalf of
16 the same entity” and inserting “a telephone call
17 by or on behalf of an entity”; and

18 (B) in subparagraph (B), by striking “up
19 to”.

20 (b) **REVISED REGULATIONS.**—Not later than 270
21 days after the date of enactment of this Act, the Federal
22 Communications Commission shall revise the regulations
23 prescribed under section 227(c) of the Communications
24 Act of 1934 (47 U.S.C. 227(c)) as necessary to implement
25 the amendments made by subsection (a) of this section.

1 **SEC. 3. DEFINITION OF AUTOMATIC TELEPHONE DIALING**
2 **SYSTEM.**

3 Section 227(a)(1) of the Communications Act of
4 1934 (47 U.S.C. 227(a)(1)) is amended—

5 (1) in subparagraph (A), by inserting “or a list
6 of telephone numbers” after “using a random or se-
7 quential number generator”; and

8 (2) in subparagraph (B), by inserting “succes-
9 sively without human intervention” after “to dial
10 such numbers”.