

House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 192

HOUSE BILL 2346

AN ACT

AMENDING TITLE 44, CHAPTER 10, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 44-1482; RELATING TO FAX ADVERTISING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, chapter 10, article 5, Arizona Revised Statutes,
3 is amended by adding section 44-1482, to read:

4 44-1482. Unsolicited fax advertisements; definition

5 A. EACH UNSOLICITED COMMERCIAL FAX ADVERTISEMENT SHALL INCLUDE THE
6 NAME, ADDRESS, FAX NUMBER AND TOLL FREE OR LOCAL CONTACT TELEPHONE NUMBER OF
7 THE VENDOR THAT SENDS THE FAX.

8 B. ANY PERSON WHO RECEIVES AN UNSOLICITED COMMERCIAL FAX ADVERTISEMENT
9 MAY CONTACT THE VENDOR THAT SENT THE FAX AND REQUEST THAT NO FURTHER FAXES
10 BE SENT. ON RECEIVING A REQUEST THAT NO FURTHER FAXES BE SENT, A VENDOR
11 SHALL HAVE THREE BUSINESS DAYS TO UPDATE ITS RECORDS. IF THE VENDOR
12 CONTINUES TO SEND UNSOLICITED COMMERCIAL FAXES THREE BUSINESS DAYS AFTER THE
13 PERSON REQUESTS NOT TO RECEIVE FURTHER FAXES, THE PERSON MAY CHARGE THE
14 VENDOR FIVE DOLLARS FOR EACH FAXED PAGE RECEIVED.

15 C. THIS SECTION SHALL NOT BE CONSTRUED TO ALTER OR RESTRICT ANY RIGHTS
16 A PERSON MAY HAVE UNDER FEDERAL LAW TO RECOVER FOR THE SENDING OF AN
17 UNSOLICITED COMMERCIAL FAX ADVERTISEMENT BY A VENDOR.

18 D. FOR THE PURPOSES OF THIS SECTION, "VENDOR" MEANS ANY INDIVIDUAL,
19 CORPORATION, BUSINESS TRUST, PARTNERSHIP, ASSOCIATION OR OTHER LEGAL
20 ENTITY.

APPROVED BY THE GOVERNOR MAY 12, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 13, 2003.

Passed the House March 5, 2003,

Passed the Senate May 5, 2003,

by the following vote: 49 Ayes,

by the following vote: 28 Ayes,

7 Nays, 4 Not Voting

Jake Flake
Speaker of the House

Spencer L. Moore
Chief Clerk of the House

1 Nays, 1 Not Voting

John Blunt
President of the Senate

Charmine Bellsted
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
6 day of May, 2003

at 12:06 o'clock P M.

Sandra Ramirez
Secretary to the Governor

Approved this 12 day of

May, 2003,

at 9⁰⁰ o'clock A. M.

Jan Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 13 day of May, 2003

at 11:03 o'clock P M.

Janice K. Brewer
Secretary of State

H.B. 2346