

Document: Final Rule, **Register Page Number:** 25 IR 3702

Source: August 1, 2002, Indiana Register, Volume 25, Number 11

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**TITLE 11 CONSUMER PROTECTION DIVISION OF
THE OFFICE OF THE ATTORNEY GENERAL**

LSA Document #02-18(F)

DIGEST

Adds 11 IAC 2-2-5 concerning information provided to consumers added to the telephone privacy list. Amends 11 IAC 2-5-1, 11 IAC 2-5-2, and 11 IAC 2-5-3 by obligating the division to remove certain numbers from the telephone privacy list. Adds 11 IAC 2-5-4 providing for annual purging of the telephone privacy list. Effective 30 days after filing with the secretary of state.

11 IAC 2-2-5

11 IAC 2-5-3

11 IAC 2-5-1

11 IAC 2-5-4

11 IAC 2-5-2

SECTION 1. 11 IAC 2-2, AS ADDED AT 25 IR 1856, SECTION 1, IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS:

11 IAC 2-2-5 Information provided to consumers added to the telephone privacy list

Authority: IC 4-6-9-8; IC 24-4.7-3-7

Affected: IC 24-4.7-3-1; IC 24-4.7-3-2; IC 24-4.7-4

Sec. 5. Utilizing mail, e-mail, or other appropriate methods, the division shall communicate to consumers whose residential telephone numbers have been added to the telephone privacy list:

(1) that the residential telephone number has been added to the telephone privacy list;

(2) general information about the telephone privacy act; and

(3) procedures for changing or removing their residential telephone numbers from the telephone privacy list.

(Consumer Protection Division of the Office of the Attorney General; 11 IAC 2-2-5; filed Jun 17, 2002, 4:28 p.m.: 25 IR 3702)

SECTION 2. 11 IAC 2-5-1, AS ADDED AT 25 IR 1857, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

11 IAC 2-5-1 Division's authority to purge nonresidential telephone numbers

Authority: IC 4-6-9-8; IC 24-4.7-3-7

Affected: IC 24-4.7-3-1; IC 24-4.7-3-2

Sec. 1. The division ~~may~~ **shall** purge or ~~may~~ **shall** direct the agent with which it has contracted pursuant to IC 24-4.7-3-2 to purge from the telephone privacy list any number that **it learns** is not a residential telephone number. **The division shall remove the relevant telephone number from the telephone privacy list according to the same schedule used for adding residential telephone numbers to the telephone privacy list.** *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 2-5-1; filed Jan 18, 2002, 5:00 p.m.: 25 IR 1857; filed Jun 17, 2002, 4:28 p.m.: 25 IR 3702)*

SECTION 3. 11 IAC 2-5-2, AS ADDED AT 25 IR 1857, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

11 IAC 2-5-2 Division's authority to purge telephone numbers no longer assigned to consumer

Authority: IC 4-6-9-8; IC 24-4.7-3-7

Affected: IC 24-4.7-3-1; IC 24-4.7-3-2

Sec. 2. The division ~~may~~ **shall** purge or ~~may~~ **shall** direct the agent with which it has contracted pursuant to IC 24-4.7-3-2 to purge from the telephone privacy list a residential telephone number if the division learns that the number is no longer assigned to the consumer who registered the number. **The division shall remove the relevant telephone number from the telephone privacy list according to the same schedule used for adding residential telephone numbers to the telephone privacy list.** *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 2-5-2; filed Jan 18, 2002, 5:00 p.m.: 25 IR 1857; filed Jun 17, 2002, 4:28 p.m.: 25 IR 3702)*

SECTION 4. 11 IAC 2-5-3, AS ADDED AT 25 IR 1857, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

11 IAC 2-5-3 Purging registered telephone number upon consumer's revocation notice

Authority: IC 4-6-9-8; IC 24-4.7-3-7

Affected: IC 24-4.7-3-1; IC 24-4.7-3-2

Sec. 3. The division shall purge or shall direct the agent with which it has contracted pursuant to IC 24-4.7-3-2 to purge a residential telephone number of a consumer who submits the revocation notice described in 11 IAC 2-2-4. Upon receiving such revocation notice, the division ~~will~~ **shall** remove the relevant telephone number from the telephone privacy list according to the same schedule used for adding residential telephone numbers to the telephone privacy list. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 2-5-3; filed Jan 18, 2002, 5:00 p.m.: 25 IR 1857; filed Jun 17, 2002, 4:28 p.m.: 25 IR 3702)*

SECTION 5. 11 IAC 2-5, AS ADDED AT 25 IR 1857, SECTION 1, IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS:

11 IAC 2-5-4 Annual purging of the telephone privacy list

Authority: IC 4-6-9-8; IC 24-4.7-3-7

Affected: IC 24-4.7-3-1; IC 24-4.7-3-2

Sec. 4. Annually, the division shall use reasonable efforts to identify and remove from the telephone privacy list:

(1) Telephone numbers disconnected since the date of initial registration.

(2) Any telephone number no longer assigned to a consumer who has registered the number with the telephone privacy list.

(Consumer Protection Division of the Office of the Attorney General; 11 IAC 2-5-4; filed Jun 17, 2002, 4:28 p.m.: 25 IR 3702)

LSA Document #02-18(F)

Notice of Intent Published: 25 IR 1669

Proposed Rule Published: April 1, 2002; 25 IR 2281

Hearing Held: April 22, 2002

Approved by Attorney General: June 6, 2002

Approved by Governor: June 11, 2002

Filed with Secretary of State: June 17, 2002, 4:28 p.m.

Incorporated Documents Filed with Secretary of State: None