

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 520
Mar 25, 2025
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40305-NH-115

Short Title: Abuse and Deception by Telemarketers. (Public)

Sponsors: Representative Brody.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO ADDRESS ABUSE OF PRIVACY AND ACTS OF DECEPTION FROM
TELEMARKETERS BY DISPLAYING PHONE NUMBERS THAT ARE FRAUDULENT
AND MISREPRESENTATIVE OF THE ACTUAL CALLER.

Whereas, the citizens and businesses of North Carolina claim the right of privacy and
exclusive use of the phone lines and numbers for which they contract for; and

Whereas, the citizens and businesses of North Carolina claim a right of privacy and
enjoyment of that privacy from telemarketers who spoof, or otherwise disguise their actual phone
numbers, preventing the receiving phone from identifying who is calling, and

Whereas, the citizens and businesses of North Carolina claim some telemarketers are
violating these rights and fraudulently displaying numbers which are assigned to other people,
assigned to various businesses, using numbers that are not assigned to anyone (including the
caller), or made up combinations of numbers and letters to disguise the real identification of the
caller; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 75-100 is amended by adding a new subdivision to read:

"(10) A telephone number is the property of a telephone subscriber, subject to the
terms and conditions of the subscriber's contract with a telephone carrier."

SECTION 2. G.S. 75-102(i) reads as rewritten:

"(i) No telephone solicitor or its agent shall cause misleading information to be
transmitted to users of caller identification technologies or otherwise block or misrepresent the
origin of the telephone solicitation. No provider of telephone caller identification services shall
be held liable for violations of this subsection committed by other individuals or entities. It is not
a violation of this subsection for a telephone solicitor to utilize the name and number of the entity
the solicitation is being made on behalf of rather than the name and number of the telephone
solicitor."

SECTION 3. Article 4 of Chapter 75 of the General Statutes is amended by adding
a new section to read:

§ 75-104.1. Telephone carriers.

(a) A telephone carrier shall not knowingly and intentionally transmit, sell, or otherwise
provide the numbers of telephone subscribers to any entity the telephone carrier knows will use
the number to violate provisions of this Act.

(b) A telephone carrier shall not be held liable for a telemarketer's violation of
G.S. 75-102(i)."

SECTION 4. G.S. 75-105 reads as rewritten:

§ 75-105. Enforcement.



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1 ...

2 (b) A telephone subscriber who has received a telephone solicitation from or on behalf
3 of a telephone solicitor in violation of this Article may bring any of the following actions in civil
4 court:

- 5 (1) An action to enjoin further violations of this Article by the telephone solicitor.
6 (2) An action to recover five hundred dollars (\$500.00) for the first violation, one
7 thousand dollars (\$1,000) for the second violation, and five thousand dollars
8 (\$5,000) for the third and any other violation that occurs within two years of
9 the first violation.

10 (b1) A telephone subscriber who has received a telephone solicitation in violation of
11 G.S. 75-102(i), or a telephone subscriber whose phone number or name was displayed in a way
12 to give the perception that a call originated from that subscriber or number when the call was
13 actually placed from a different origin and in violation of G.S. 75-102(i), may bring any action
14 authorized pursuant this section or Chapter against the telemarketer initiating the call. In an action
15 brought under this subsection, the court shall impose an additional civil fine of ten thousand
16 dollars (\$10,000) for each call placed in knowing violation of G.S. 75-102(i). Any person who
17 knowingly violates G.S. 75-105(i) shall be guilty of a Class H felony.

18"

19 **SECTION 5.** This act becomes effective December 1, 2025, and applies to phone
20 calls placed on or after that date.