

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

# A Bill

SENATE BILL 474

4  
5 By: Senator T. Garner  
6 By: Representative Lundstrum

## For An Act To Be Entitled

9 AN ACT CREATING A CIVIL CAUSE OF ACTION AGAINST A  
10 PERSON THAT ENGAGES IN TELEPHONE CALLER  
11 IDENTIFICATION SPOOFING; AND FOR OTHER PURPOSES.

## Subtitle

15 CREATING A CIVIL CAUSE OF ACTION AGAINST  
16 A PERSON THAT ENGAGES IN TELEPHONE CALLER  
17 IDENTIFICATION SPOOFING.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code Title 16, Chapter 118, is amended to add an  
23 additional section to read as follows:

24 16-118-116. Civil action against person that engages in telephone  
25 caller identification spoofing.

26 (a) As used in this section, "person" includes without limitation a  
27 corporate or other business entity for which a person who engages in  
28 telephone caller identification spoofing is employed or with whom the person  
29 has a business or contractual relationship concerning an act described in  
30 subsection (b) of this section.

31 (b) In addition to any other cause of action available to a person, a  
32 person who suffers injury or financial loss as a direct or indirect result of  
33 another person's knowingly inserting false information into a telephone  
34 caller identification system with the purpose to mislead, defraud, cause  
35 harm, or obtain anything of value, may bring a civil action against the other  
36 person.



1           (c)(1) The Attorney General or a prosecuting attorney with  
2 jurisdiction may also bring an action for injunctive relief on behalf of the  
3 person who suffered injury or financial loss as a direct or indirect result  
4 of the other person's knowingly inserting false information into a telephone  
5 caller identification system.

6           (2) A court hearing an action under this subsection may award  
7 injunctive relief as well as assess a civil penalty against the person  
8 against whom the cause of action was filed in an amount of up to ten thousand  
9 dollars (\$10,000) per violation.

10          (d)(1) A court hearing a civil action under this section may award  
11 injunctive relief, three (3) times compensatory damages, costs, reasonable  
12 attorney's fees, and expenses to a plaintiff whose case has not been brought  
13 by the Attorney General or a prosecuting attorney and that prevails in the  
14 civil action.

15          (2) A person may bring a cause of action under this section even  
16 if the Attorney General or a prosecuting attorney with jurisdiction is  
17 pursuing a separate cause of action on behalf of the person under subsection  
18 (c) of this section.

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