

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 693

Introduced by Halloran, 33; Albrecht, 17; Bostelman, 23; Brandt, 32;
Briese, 41; Clements, 2; Gragert, 40; Hansen, B., 16;
Hilkemann, 4; Kolowski, 31; Kolterman, 24; Linehan, 39;
Lowe, 37; McDonnell, 5; Murman, 38; Stinner, 48; Williams,
36.

Read first time January 23, 2019

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to telecommunications; to prohibit the
2 selling, renting, or conveying of telephone numbers as prescribed;
3 to Adopt the Neighbor Spoofing Protection Act; and to provide a
4 civil penalty.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) This section shall be known and may be cited as the
2 Neighbor Spoofing Protection Act.

3 (2) No person shall sell, rent, or convey any interest in a
4 telephone number to any out-of-state person unless such telephone number
5 is listed or available from directory assistance to the general public so
6 that a member of the general public could determine the source of the
7 telephone number by contacting his or her telecommunications provider.

8 (3) Subsection (2) of this section shall not apply if such telephone
9 number is:

10 (a) Used to provide access to tone-controlled devices for which
11 restricted access to the numbering resource is justified for security or
12 functional purposes;

13 (b) Used for any authorized activity of a law enforcement agency; or

14 (c) Required to be unlisted by court order.

15 (4) No person shall, in connection with any telecommunications
16 service or IP-enabled voice service, cause any caller identification
17 service to knowingly transmit misleading or inaccurate caller
18 identification information with the intent to defraud, cause harm, or
19 wrongfully obtain anything of value.

20 (5) Nothing in this section shall be construed to prevent or
21 restrict any person from blocking the capability of any caller
22 identification service to transmit caller identification information.

23 (6) This section shall not apply:

24 (a) To any authorized activity of a law enforcement agency; or

25 (b) When a court order specifically authorizes the use of caller
26 identification manipulation.

27 (7) Except as provided in this section, local exchange carriers and
28 telecommunications carriers shall not be responsible for enforcement of
29 this section.

30 (8)(a) Notwithstanding section 75-156, the Public Service Commission
31 may, after hearing, impose an administrative penalty for a violation of

1 this section. The penalty for a violation shall not exceed two thousand
2 dollars. Every violation associated with a specific telephone number
3 within the state shall be considered a separate and distinct violation.

4 (b) The amount of an administrative penalty shall be based on:

5 (i) The nature, circumstances, extent, and gravity of a prohibited
6 act;

7 (ii) The history of previous violations;

8 (iii) The amount necessary to deter future violations; and

9 (iv) Any efforts to correct the violation.

10 (c) The commission shall remit any administrative penalty collected
11 under this section to the State Treasurer for distribution in accordance
12 with Article VII, section 5, of the Constitution of Nebraska.

13 (d) Any administrative penalty may be appealed. The appeal shall be
14 in accordance with section 75-136.