

## Session 116 - (2005-2006)

### H 3518 General Bill, By J.E. Smith

**Summary:** Electronic mail solicitation

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 10 TO TITLE 58 SO AS TO PROVIDE FOR THE ESTABLISHMENT AND PROTECTION OF PRIVACY IN THIS STATE FROM UNWANTED COMMERCIAL ELECTRONIC MAIL SOLICITATION IN THIS STATE, INCLUDING PROVISIONS FOR, AMONG OTHER THINGS, A DATABASE CONSTITUTING A "NO E-MAIL LIST", SPECIFIC CONTENTS OF MESSAGES, ACCURATE ROUTING INFORMATION, CRIMINAL PENALTIES, INVESTIGATIONS BY THE ATTORNEY GENERAL AND THE JUDICIAL CIRCUIT SOLICITORS, AND THE SEEKING OF INJUNCTIVE AND OTHER RELIEF BY THE ATTORNEY GENERAL; TO PROVIDE THAT ELECTRONIC MAIL SERVICE PROVIDERS ARE NOT LIABLE FOR VIOLATIONS OF THIS CHAPTER AND ARE NOT RESPONSIBLE FOR ENFORCEMENT OR LIABLE FOR ERRORS OR OMISSIONS IN THE DATABASE; TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO ADD THE DATABASE ESTABLISHED PURSUANT TO THIS CHAPTER; AND TO AMEND SECTION 16-16-20, AS AMENDED, RELATING TO COMPUTER CRIMES AND PENALTIES, SO AS TO REFERENCE THE REQUIREMENTS OF THIS CHAPTER AND TO PROVIDE FOR THE CRIME OF CRIMINAL TRESPASS IN CONNECTION WITH UNSOLICITED COMMERCIAL ELECTRONIC MAIL.

**02/10/05 House Introduced and read first time HJ-7**

**02/10/05 House Referred to Committee on Judiciary HJ-7**