

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

SENATE BILL 474

By: Senator T. Garner  
By: Representative Lundstrum

## For An Act To Be Entitled

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

## Subtitle

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

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

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

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

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

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



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

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

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

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