



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Passes Legislation to Ban Spoofing

JIM RANNEY June 28, 2016

| ISSUE: **CONSUMER PROTECTION**



Senator Patrick M. Gallivan (R-C-I, Elma) announces the Senate has passed a bill (S-434) that would prohibit businesses from transmitting false caller identification information intended to defraud or harass consumers. The practice, known as spoofing, is sometimes used by scammers or fraudulent telemarketers to mask their true identity by sending false information to caller ID services or devices.

“Consumers should be protected from people and organizations that misrepresent themselves through caller ID,” Gallivan said. “Too often illegal telemarketing companies or

other fraudulent businesses use the latest technology to disguise their true identity, making it easier to victimize people, especially the elderly. We need to hold these companies accountable for their fraudulent actions.”

The bill, which was sponsored by Senator Gallivan, would amend current law to make it illegal to cause any caller identification service to transmit false ID information when calling any resident of New York State. Under the legislation, those caught spoofing may be ordered to pay restitution to victims and could be fined up to \$2,000 per call.

The Senate passed a similar bill (S-6809B) which would require telemarketers to transmit only correct caller identification information to consumers. Without this information, consumers who have signed up for the do-not-call registry would have difficulty reporting violations.

Both bills have been sent to the Assembly.

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RELATED LEGISLATION

2015-S434

- Introduced
- ◦ In Committee Assembly

- In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Provides that a business entity may not alter caller identification information with the intent to defraud or harass a third party or the recipient of the call

December 24, 2014

In Assembly Committee

Sponsored by **Patrick M. Gallivan**

Do you support this bill?