**§1496. Unsolicited telefacsimile transmissions prohibited**

**1. Definitions.**  As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Telefacsimile" means any process in which electronic signals are transmitted by means of a telephone system for immediate direct printing as images or written text, excluding telecommunication signals transmitted by devices for the deaf, hard of hearing or speech impaired. [PL 2021, c. 348, §14 (AMD).]

[PL 2021, c. 348, §14 (AMD).]

**2. Prohibition.**  No person may initiate:

A. The unsolicited transmission of a telefacsimile message:

(1) Seeking charitable contributions; or

(2) Promoting real property, goods or services for purchase or rent by the recipient of such a message. [PL 1989, c. 758 (NEW).]

[PL 1989, c. 758 (NEW).]

**3. Exception.**  Subsection 2, paragraph A, does not apply if the person initiating the transmission and the recipient have a contractual or business relationship and no request to cease any such transmission has been made by the recipient in writing or by telefacsimile message to the person initiating the transmission.

[PL 1989, c. 758 (NEW).]

**4. Penalty.**  Violation of this chapter is an unfair trade practice as prohibited by Title 5, section 207. Each complete telefacsimile transmission constitutes a separate violation.

[PL 1989, c. 758 (NEW).]

SECTION HISTORY

PL 1989, c. 758 (NEW). PL 2021, c. 348, §14 (AMD).

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