

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0283.01 Jery Payne

HOUSE BILL 10-1068

HOUSE SPONSORSHIP

Ferrandino,

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE DELIVERY OF PAPER DOCUMENTS TO A PERSON'S
102 PROPERTY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Section 1 of the bill prohibits a basic telephone service provider from delivering a white page directory to a customer unless the customer requests the delivery. **Section 2** prohibits a person from delivering paper documents to another person's property in excess of one pound unless the recipient requests the delivery, which request remains valid for 5 years.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

A violation is punishable by a \$50 fine per delivery for the first 100 recipients and \$1,000 per recipient for subsequent deliveries, and the fines are capped at \$100,000 per year.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 40-15-201, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **40-15-201. Regulation by commission - rules.** (3) A LOCAL
5 EXCHANGE PROVIDER SHALL NOT DELIVER A WHITE PAGE DIRECTORY
6 PRINTED ON PAPER TO A CUSTOMER UNLESS THE CUSTOMER REQUESTS THE
7 DELIVERY. THE COMMISSION SHALL PROMULGATE RULES REQUIRING A
8 CUSTOMER TO REQUEST THE DELIVERY OF A WHITE PAGE DIRECTORY
9 PRINTED ON PAPER BEFORE A LOCAL EXCHANGE PROVIDER DELIVERS THE
10 DIRECTORY.

11 **SECTION 2.** Article 13 of title 18, Colorado Revised Statutes, is
12 amended BY THE ADDITION OF A NEW SECTION to read:

13 **18-13-130. Distribution prohibited.** A PERSON COMMITS PAPER
14 WASTE IF THE PERSON PLACES ONE OR MORE PAPER DOCUMENTS WITH A
15 TOTAL WEIGHT IN EXCESS OF ONE POUND ON ANOTHER PERSON'S PROPERTY
16 IN A SEVENTY-TWO-HOUR PERIOD UNLESS THE RECIPIENT HAS AUTHORIZED
17 THE DELIVERY. AUTHORIZATION IS NOT VALID FOR MORE THAN FIVE
18 YEARS. PAPER WASTE IS A STRICT LIABILITY MISDEMEANOR AND SHALL BE
19 PUNISHED BY A FINE NOT TO EXCEED FIFTY DOLLARS PER RECIPIENT FOR
20 THE FIRST ONE HUNDRED DELIVERIES AND ONE THOUSAND DOLLARS PER
21 RECIPIENT FOR SUBSEQUENT DELIVERIES; EXCEPT THAT THE TOTAL FINES
22 IMPOSED ON ANY ONE PERSON SHALL NOT EXCEED ONE HUNDRED
23 THOUSAND DOLLARS PER YEAR.

24 **SECTION 3. Specified effective date - applicability.** This act

1 shall take effect July 1, 2010, and shall apply to offenses committed on
2 or after said date.

3 **SECTION 4. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.