

S 788

m-SPAM Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Apr 2, 2009

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Apr 2, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/788>

Sponsor

Name: Sen. Snowe, Olympia J. [R-ME]

Party: Republican • State: ME • Chamber: Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Nelson, Bill [D-FL]	D · FL		Apr 2, 2009
Sen. Brown, Sherrod [D-OH]	D · OH		May 11, 2009
Sen. Feingold, Russell D. [D-WI]	D · WI		Jun 2, 2009

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Apr 2, 2009

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

No related bills are listed.

m-SPAM Act of 2009 - Amends the CAN-SPAM Act of 2003 to exclude a message from the definition of "mobile service commercial message" (MSCM) if the message's purpose is to: (1) facilitate or confirm a commercial transaction; (2) provide warranty, recall, safety, or security information about a product or service used by the recipient; (3) provide certain information to message recipients who have an ongoing commercial relationship with the sender; (4) provide information relating to the recipient's benefit plan or employment; or (5) deliver goods or services to which the recipient is entitled.

Amends that Act and the Communications Act of 1934 to exempt from a prohibition on sending unwanted MSCMs: (1) the sending of short messaging service (SMS) messages from one wireless device to another or from a mobile service provider to its subscribers at no charge; and (2) the sending of MSCMs by a mobile service provider to its subscribers at no charge (unless a subscriber has opted out).

Requires the Federal Trade Commission (FTC) to revise the do-not-call registry provisions of the Telemarketing Sales Rule to: (1) consider commercial mobile service messaging practices that are costly or a nuisance to consumers; and (2) explicitly prohibit, as an abusive telemarketing act or practice, the sending of any MSCM to a telephone number that is both assigned to a commercial mobile service and listed on the do-not-call registry. Exempts such messages sent by a commercial mobile service provider to its subscribers at no charge.

### **Actions Timeline**

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- **Apr 2, 2009:** Introduced in Senate
- **Apr 2, 2009:** Sponsor introductory remarks on measure. (CR S4319-4320)
- **Apr 2, 2009:** Read twice and referred to the Committee on Commerce, Science, and Transportation.