**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 13, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES RELATING TO FORGERY, LARCENY, EMBEZZLEMENT, FALSE PRETENSES AND CHEATS, BY ADDING SECTION 16-13-20, TO PROVIDE THAT A PERSON WHO, IN CONNECTION WITH ANY TELECOMMUNICATIONS SERVICE OR IP-ENABLED VOICE SERVICE, CAUSES ANY CALLER IDENTIFICATION SERVICES TO KNOWINGLY TRANSMIT MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION WITH THE INTENT TO DEFRAUD, CAUSE HARM, OR WRONGFULLY OBTAIN ANYTHING OF VALUE WITHIN THIS STATE IS GUILTY OF A MISDEMEANOR, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 13, Title 16 of the 1976 Code is amended by adding:

“Section 16-13-20. (A) For purposes of this section:

(1) ‘Caller identification system’ means a listing of a caller’s name, telephone number, or name and telephone number that is shown to the recipient of a call.

(B) A person who, in connection with any telecommunications service or IP-enabled voice service, causes any caller identification services to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value within this State is guilty of a misdemeanor and, upon conviction, shall be fined not more than ten thousand dollars per incident, be imprisoned not more than one year, or both.

(C) In addition to other remedies, a person who suffers damage or loss pursuant to a violation of this section may bring a civil action against the violator for compensatory damages and injunctive or other equitable relief.

(D) This section does not apply to the authorized activity of a law enforcement agency or activity authorized pursuant to a court order that specifically authorizes the use of false information on a caller identification system.”

SECTION 2. This act takes effect upon approval by the Governor.

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