

367.46995 Claims alleging calls made to persons on zero call list -- Defenses.

- (1) Any claim or action alleging the making of a call to a person on the zero call list in violation of KRS 367.46955 shall be in writing and verified by the claimant.
- (2) In any action or claim alleging the making of a call to a person on the zero call list, it shall be a defense that the defendant obtains the current zero call list in a timely manner and makes reasonable efforts to avoid calling persons whose telephone numbers appear on the list.
- (3) It shall be a defense in any action or proceeding brought under KRS 367.46951 to 367.46999 that the defendant has established and implemented, with due care, reasonable practices and procedures to prevent telephone solicitations in violation of KRS 367.46951 to 367.46999.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 21, sec. 6, effective July 15, 2002.