

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

400H0729

HOUSE COMMERCE COMMITTEE ENGROSSED NO.

SB 180 - 02/19/2002

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: The Committee on Commerce at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to regulate unsolicited electronic commerce.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 37-24-6 be amended by adding thereto a NEW SUBDIVISION to read as
4 follows:

5 Send or cause to be sent an unsolicited commercial electronic mail message that does not
6 include in the subject line of such message "ADV:" as the first four characters. If the message
7 contains information that consists of explicit sexual material that may only be viewed, purchased,
8 rented, leased, or held in possession by an individual eighteen years of age and older, the subject
9 line of each message shall include "ADV:ADLT" as the first eight characters. An unsolicited
10 commercial electronic mail message does not include a message sent to a person with whom the
11 initiator has an existing personal or business relationship or a message sent at the request or
12 express consent of the recipient.

